



99TH GENERAL ASSEMBLY

State of Illinois

2015 and 2016

HB2762

by Rep. Michael J. Zalewski

SYNOPSIS AS INTRODUCED:

See Index

Amends the Illinois Aeronautics Act, Illinois Vehicle Code, Snowmobile Registration and Safety Act, and Boat Registration and Safety Act. Allows use of saliva testing for the presence of alcohol or drugs for the purpose of enforcement of driving or operating a vehicle, snowmobile, watercraft, or aircraft under the influence offenses. Makes saliva tests admissible in certain proceedings. Amends the Code of Criminal Procedure of 1963 and Unified Code of Corrections to make conforming changes. Effective immediately.

LRB099 00159 MRW 20160 b

1 AN ACT concerning transportation.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Illinois Aeronautics Act is amended by
5 changing Sections 43d and 43e as follows:

6 (620 ILCS 5/43d) (from Ch. 15 1/2, par. 22.43d)

7 Sec. 43d. Intoxicated persons in or about aircraft.

8 (a) No person shall:

9 (1) Operate or attempt to operate any aircraft in this
10 State while under the influence of intoxicating liquor or
11 any narcotic drug or other controlled substance.

12 (2) Knowingly permit any individual who is under the
13 influence of intoxicating liquor or any narcotic drug or
14 other controlled substance to operate any aircraft owned by
15 the person or in his custody or control.

16 (3) Perform any act in connection with the maintenance
17 or operation of any aircraft when under the influence of
18 intoxicating liquor or any narcotic drug or other
19 controlled substance, except medication prescribed by a
20 physician which will not render the person incapable of
21 performing his duties safely.

22 (4) (i) Consume alcoholic liquor within 8 hours prior to
23 operating or acting as a crew member of any aircraft within

1 this State.

2 (ii) Act as a crew member of any aircraft within this
3 State while under the influence of alcohol or when the
4 alcohol concentration in the person's blood, saliva, or
5 breath is 0.04 or more based on the definition of blood, saliva,
6 saliva, and breath units contained in Section 11-501.2 of
7 the Illinois Vehicle Code.

8 (iii) Operate any aircraft within this State when the
9 alcohol concentration in the person's blood, saliva, or
10 breath is 0.04 or more based on the definition of blood, saliva,
11 saliva, and breath units contained in Section 11-501.2 of
12 the Illinois Vehicle Code.

13 (iv) Operate or act as a crew member of any aircraft
14 within this State when there is any amount of a drug,
15 substance, or compound in the person's blood, saliva, or
16 urine resulting from the unlawful use or consumption of
17 cannabis as listed in the Cannabis Control Act or a
18 controlled substance as listed in the Illinois Controlled
19 Substances Act.

20 (5) Knowingly consume while a crew member of any
21 aircraft any intoxicating liquor, narcotic drug, or other
22 controlled substance while the aircraft is in operation.

23 (b) Any person who violates clause (4)(i) of subsection (a)
24 of this Section is guilty of a Class A misdemeanor. A person
25 who violates paragraph (2), (3), or (5) or clause (4)(ii) of
26 subsection (a) of this Section is guilty of a Class 4 felony. A

1 person who violates paragraph (1) or clause (4) (iii) or (4) (iv)
2 of subsection (a) of this Section is guilty of a Class 3
3 felony.

4 (Source: P.A. 98-756, eff. 7-16-14.)

5 (620 ILCS 5/43e) (from Ch. 15 1/2, par. 22.43e)

6 Sec. 43e. (a) Any person who operates, is in actual
7 physical control or who acts as a crew member of any aircraft
8 in this State shall be deemed to have given consent, subject to
9 the provisions of Section 11-501.2 of the Illinois Vehicle
10 Code, to a chemical test or tests of blood, breath, saliva, or
11 urine for the purpose of determining the alcohol, other drug,
12 or combination thereof content of the person's blood if
13 arrested or upon request by any law enforcement officer where
14 the officer has probable cause to believe the person is in
15 violation of Section 43d of this Act. The test or tests shall
16 be administered at the direction of the arresting law
17 enforcement officer and the agency employing the officer shall
18 designate which of the tests specified in this Section shall be
19 administered.

20 (b) Any person who is dead, unconscious or who is otherwise
21 in a condition rendering the person incapable of refusal, shall
22 be deemed not to have withdrawn the consent provided by
23 paragraph (a) of this Section, and the test or tests may be
24 administered, subject to the provisions of Section 11-501.2 of
25 the Illinois Vehicle Code.

1 (c) If the person refuses testing or submits to a test
2 which discloses an alcohol concentration of 0.04 or more or
3 discloses the presence of any illegal drug the law enforcement
4 officer shall immediately submit a sworn report containing that
5 information to the Federal Aviation Administration, Civil
6 Aeronautics Board or any other federal agency responsible for
7 the licensing of pilots and crew members. The test results
8 shall, in addition, be made available to any agency responsible
9 for relicensing or recertifying any pilot or crew member.

10 (Source: P.A. 87-458.)

11 Section 10. The Illinois Vehicle Code is amended by
12 changing Sections 2-118, 2-118.1, 6-106.1a, 6-208.1, 6-514,
13 6-516, 6-517, 11-401, 11-500, 11-500.1, 11-501, 11-501.1,
14 11-501.2, 11-501.4, 11-501.4-1, 11-501.6, 11-501.8, and 11-507
15 as follows:

16 (625 ILCS 5/2-118) (from Ch. 95 1/2, par. 2-118)

17 Sec. 2-118. Hearings.

18 (a) Upon the suspension, revocation or denial of the
19 issuance of a license, permit, registration or certificate of
20 title under this Code of any person the Secretary of State
21 shall immediately notify such person in writing and upon his
22 written request shall, within 20 days after receipt thereof,
23 set a date for a hearing to commence within 90 calendar days
24 from the date of the written request for all requests related

1 to a suspension, revocation, or the denial of the issuance of a
2 license, permit, registration, or certificate of title
3 occurring after July 1, 2002, in the County of Sangamon, the
4 County of Jefferson, or the County of Cook, as such person may
5 specify, unless both parties agree that such hearing may be
6 held in some other county. The Secretary may require the
7 payment of a fee of not more than \$50 for the filing of any
8 petition, motion, or request for hearing conducted pursuant to
9 this Section. These fees must be deposited into the Secretary
10 of State DUI Administration Fund, a special fund created in the
11 State treasury, and, subject to appropriation and as directed
12 by the Secretary of State, shall be used for operation of the
13 Department of Administrative Hearings of the Office of the
14 Secretary of State and for no other purpose. The Secretary
15 shall establish by rule the amount and the procedures, terms,
16 and conditions relating to these fees.

17 (b) At any time after the suspension, revocation or denial
18 of a license, permit, registration or certificate of title of
19 any person as hereinbefore referred to, the Secretary of State,
20 in his or her discretion and without the necessity of a request
21 by such person, may hold such a hearing, upon not less than 10
22 days' notice in writing, in the Counties of Sangamon,
23 Jefferson, or Cook or in any other county agreed to by the
24 parties.

25 (c) Upon any such hearing, the Secretary of State, or his
26 authorized agent may administer oaths and issue subpoenas for

1 the attendance of witnesses and the production of relevant
2 books and records and may require an examination of such
3 person. Upon any such hearing, the Secretary of State shall
4 either rescind or, good cause appearing therefor, continue,
5 change or extend the Order of Revocation or Suspension, or upon
6 petition therefore and subject to the provisions of this Code,
7 issue a restricted driving permit or reinstate the license or
8 permit of such person.

9 (d) All hearings and hearing procedures shall comply with
10 requirements of the Constitution, so that no person is deprived
11 of due process of law nor denied equal protection of the laws.
12 All hearings shall be held before the Secretary of State or
13 before such persons as may be designated by the Secretary of
14 State and appropriate records of such hearings shall be kept.
15 Where a transcript of the hearing is taken, the person
16 requesting the hearing shall have the opportunity to order a
17 copy thereof at his own expense. The Secretary of State shall
18 enter an order upon any hearing conducted under this Section,
19 related to a suspension, revocation, or the denial of the
20 issuance of a license, permit, registration, or certificate of
21 title occurring after July 1, 2002, within 90 days of its
22 conclusion and shall immediately notify the person in writing
23 of his or her action.

24 (d-5) Any hearing over which the Secretary of State has
25 jurisdiction because of a person's implied consent to testing
26 of the person's blood, breath, saliva, or urine for the

1 presence of alcohol, drugs, or intoxicating compounds may be
2 conducted upon a review of the official police reports. Either
3 party, however, may subpoena the arresting officer and any
4 other law enforcement officer who was involved in the
5 petitioner's arrest or processing after arrest, as well as any
6 other person whose testimony may be probative to the issues at
7 the hearing. The failure of a law enforcement officer to answer
8 the subpoena shall be considered grounds for a continuance if,
9 in the hearing officer's discretion, the continuance is
10 appropriate. The failure of the arresting officer to answer a
11 subpoena shall not, in and of itself, be considered grounds for
12 the rescission of an implied consent suspension. Rather, the
13 hearing shall proceed on the basis of the other evidence
14 available, and the hearing officer shall assign this evidence
15 whatever probative value is deemed appropriate. The decision
16 whether to rescind shall be based upon the totality of the
17 evidence.

18 (e) The action of the Secretary of State in suspending,
19 revoking or denying any license, permit, registration, or
20 certificate of title shall be subject to judicial review in the
21 Circuit Court of Sangamon County, in the Circuit Court of
22 Jefferson County, or in the Circuit Court of Cook County, and
23 the provisions of the Administrative Review Law, and all
24 amendments and modifications thereto, and the rules adopted
25 pursuant thereto, are hereby adopted and shall apply to and
26 govern every action for the judicial review of final acts or

1 decisions of the Secretary of State hereunder.

2 (Source: P.A. 95-627, eff. 6-1-08; 96-184, eff. 8-10-09.)

3 (625 ILCS 5/2-118.1) (from Ch. 95 1/2, par. 2-118.1)

4 Sec. 2-118.1. Opportunity for hearing; statutory summary
5 alcohol or other drug related suspension or revocation pursuant
6 to Section 11-501.1.

7 (a) A statutory summary suspension or revocation of driving
8 privileges under Section 11-501.1 shall not become effective
9 until the person is notified in writing of the impending
10 suspension or revocation and informed that he may request a
11 hearing in the circuit court of venue under paragraph (b) of
12 this Section and the statutory summary suspension or revocation
13 shall become effective as provided in Section 11-501.1.

14 (b) Within 90 days after the notice of statutory summary
15 suspension or revocation served under Section 11-501.1, the
16 person may make a written request for a judicial hearing in the
17 circuit court of venue. The request to the circuit court shall
18 state the grounds upon which the person seeks to have the
19 statutory summary suspension or revocation rescinded. Within
20 30 days after receipt of the written request or the first
21 appearance date on the Uniform Traffic Ticket issued pursuant
22 to a violation of Section 11-501, or a similar provision of a
23 local ordinance, the hearing shall be conducted by the circuit
24 court having jurisdiction. This judicial hearing, request, or
25 process shall not stay or delay the statutory summary

1 suspension or revocation. The hearings shall proceed in the
2 court in the same manner as in other civil proceedings.

3 The hearing may be conducted upon a review of the law
4 enforcement officer's own official reports; provided however,
5 that the person may subpoena the officer. Failure of the
6 officer to answer the subpoena shall be considered grounds for
7 a continuance if in the court's discretion the continuance is
8 appropriate.

9 The scope of the hearing shall be limited to the issues of:

10 1. Whether the person was placed under arrest for an
11 offense as defined in Section 11-501, or a similar
12 provision of a local ordinance, as evidenced by the
13 issuance of a Uniform Traffic Ticket, or issued a Uniform
14 Traffic Ticket out of state as provided in subsection (a)
15 or (a-5) of Section 11-501.1; and

16 2. Whether the officer had reasonable grounds to
17 believe that the person was driving or in actual physical
18 control of a motor vehicle upon a highway while under the
19 influence of alcohol, other drug, or combination of both;
20 and

21 3. Whether the person, after being advised by the
22 officer that the privilege to operate a motor vehicle would
23 be suspended or revoked if the person refused to submit to
24 and complete the test or tests, did refuse to submit to or
25 complete the test or tests authorized under Section
26 11-501.1; or

1 4. Whether the person, after being advised by the
2 officer that the privilege to operate a motor vehicle would
3 be suspended if the person submits to a chemical test, or
4 tests, and the test discloses an alcohol concentration of
5 0.08 or more, or any amount of a drug, substance, or
6 compound in the person's blood, saliva, or urine resulting
7 from the unlawful use or consumption of cannabis listed in
8 the Cannabis Control Act, a controlled substance listed in
9 the Illinois Controlled Substances Act, an intoxicating
10 compound as listed in the Use of Intoxicating Compounds
11 Act, or methamphetamine as listed in the Methamphetamine
12 Control and Community Protection Act, and the person did
13 submit to and complete the test or tests that determined an
14 alcohol concentration of 0.08 or more.

15 4.2. If the person is a qualifying patient licensed
16 under the Compassionate Use of Medical Cannabis Pilot
17 Program Act who is in possession of a valid registry card
18 issued under that Act, after being advised by the officer
19 that the privilege to operate a motor vehicle would be
20 suspended or revoked if the person refused to submit to and
21 complete the test or tests, did refuse to submit to or
22 complete the test or tests authorized under Section
23 11-501.1.

24 4.5. If the person is a qualifying patient licensed
25 under the Compassionate Use of Medical Cannabis Pilot
26 Program Act who is in possession of a valid registry card

1 issued under that Act, whether that person, after being
2 advised by the officer that the privilege to operate a
3 motor vehicle would be suspended if the person submits to a
4 standardized field sobriety test, or tests, and the test
5 indicates impairment resulting from the consumption of
6 cannabis, did submit to and complete the test or tests that
7 indicated impairment.

8 5. If the person's driving privileges were revoked,
9 whether the person was involved in a motor vehicle accident
10 that caused Type A injury or death to another.

11 Upon the conclusion of the judicial hearing, the circuit
12 court shall sustain or rescind the statutory summary suspension
13 or revocation and immediately notify the Secretary of State.
14 Reports received by the Secretary of State under this Section
15 shall be privileged information and for use only by the courts,
16 police officers, and Secretary of State.

17 (Source: P.A. 98-122, eff. 1-1-14.)

18 (625 ILCS 5/6-106.1a)

19 Sec. 6-106.1a. Cancellation of school bus driver permit;
20 trace of alcohol.

21 (a) A person who has been issued a school bus driver permit
22 by the Secretary of State in accordance with Section 6-106.1 of
23 this Code and who drives or is in actual physical control of a
24 school bus or any other vehicle owned or operated by or for a
25 public or private school, or a school operated by a religious

1 institution, when the vehicle is being used over a regularly
2 scheduled route for the transportation of persons enrolled as
3 students in grade 12 or below, in connection with any activity
4 of the entities listed, upon the public highways of this State
5 shall be deemed to have given consent to a chemical test or
6 tests of blood, breath, saliva, or urine for the purpose of
7 determining the alcohol content of the person's blood if
8 arrested, as evidenced by the issuance of a Uniform Traffic
9 Ticket for any violation of this Code or a similar provision of
10 a local ordinance, if a police officer has probable cause to
11 believe that the driver has consumed any amount of an alcoholic
12 beverage based upon evidence of the driver's physical condition
13 or other first hand knowledge of the police officer. The test
14 or tests shall be administered at the direction of the
15 arresting officer. The law enforcement agency employing the
16 officer shall designate which of the aforesaid tests shall be
17 administered. A saliva or urine test may be administered even
18 after a blood or breath test or both has been administered.

19 (b) A person who is dead, unconscious, or who is otherwise
20 in a condition rendering that person incapable of refusal,
21 shall be deemed not to have withdrawn the consent provided by
22 paragraph (a) of this Section and the test or tests may be
23 administered subject to the following provisions:

24 (1) Chemical analysis of the person's blood, urine,
25 breath, saliva, or other substance, to be considered valid
26 under the provisions of this Section, shall have been

1 performed according to standards promulgated by the
2 Department of State Police by an individual possessing a
3 valid permit issued by the Department of State Police for
4 this purpose. The Director of State Police is authorized to
5 approve satisfactory techniques or methods, to ascertain
6 the qualifications and competence of individuals to
7 conduct analyses, to issue permits that shall be subject to
8 termination or revocation at the direction of the
9 Department of State Police, and to certify the accuracy of
10 breath testing equipment. The Department of State Police
11 shall prescribe rules as necessary.

12 (2) When a person submits to a blood test at the
13 request of a law enforcement officer under the provisions
14 of this Section, only a physician authorized to practice
15 medicine, a licensed physician assistant, a licensed
16 advanced practice nurse, a registered nurse, or other
17 qualified person trained in venipuncture and acting under
18 the direction of a licensed physician may withdraw blood
19 for the purpose of determining the alcohol content. This
20 limitation does not apply to the taking of breath, saliva,
21 or urine specimens.

22 (3) The person tested may have a physician, qualified
23 technician, chemist, registered nurse, or other qualified
24 person of his or her own choosing administer a chemical
25 test or tests in addition to any test or tests administered
26 at the direction of a law enforcement officer. The test

1 administered at the request of the person may be admissible
2 into evidence at a hearing conducted in accordance with
3 Section 2-118 of this Code. The failure or inability to
4 obtain an additional test by a person shall not preclude
5 the consideration of the previously performed chemical
6 test.

7 (4) Upon a request of the person who submits to a
8 chemical test or tests at the request of a law enforcement
9 officer, full information concerning the test or tests
10 shall be made available to the person or that person's
11 attorney by the requesting law enforcement agency within 72
12 hours of receipt of the test result.

13 (5) Alcohol concentration means either grams of
14 alcohol per 100 milliliters of blood or grams of alcohol
15 per 210 liters of breath.

16 (6) If a driver is receiving medical treatment as a
17 result of a motor vehicle accident, a physician licensed to
18 practice medicine, licensed physician assistant, licensed
19 advanced practice nurse, registered nurse, or other
20 qualified person trained in venipuncture and acting under
21 the direction of a licensed physician shall withdraw blood
22 for testing purposes to ascertain the presence of alcohol
23 upon the specific request of a law enforcement officer.
24 However, that testing shall not be performed until, in the
25 opinion of the medical personnel on scene, the withdrawal
26 can be made without interfering with or endangering the

1 well-being of the patient.

2 (c) A person requested to submit to a test as provided in
3 this Section shall be warned by the law enforcement officer
4 requesting the test that a refusal to submit to the test, or
5 submission to the test resulting in an alcohol concentration of
6 more than 0.00, may result in the loss of that person's
7 privilege to possess a school bus driver permit. The loss of
8 the individual's privilege to possess a school bus driver
9 permit shall be imposed in accordance with Section 6-106.1b of
10 this Code.

11 (d) If the person refuses testing or submits to a test that
12 discloses an alcohol concentration of more than 0.00, the law
13 enforcement officer shall immediately submit a sworn report to
14 the Secretary of State on a form prescribed by the Secretary of
15 State certifying that the test or tests were requested under
16 subsection (a) and the person refused to submit to a test or
17 tests or submitted to testing which disclosed an alcohol
18 concentration of more than 0.00. The law enforcement officer
19 shall submit the same sworn report when a person who has been
20 issued a school bus driver permit and who was operating a
21 school bus or any other vehicle owned or operated by or for a
22 public or private school, or a school operated by a religious
23 institution, when the vehicle is being used over a regularly
24 scheduled route for the transportation of persons enrolled as
25 students in grade 12 or below, in connection with any activity
26 of the entities listed, submits to testing under Section

1 11-501.1 of this Code and the testing discloses an alcohol
2 concentration of more than 0.00 and less than the alcohol
3 concentration at which driving or being in actual physical
4 control of a motor vehicle is prohibited under paragraph (1) of
5 subsection (a) of Section 11-501.

6 Upon receipt of the sworn report of a law enforcement
7 officer, the Secretary of State shall enter the school bus
8 driver permit sanction on the individual's driving record and
9 the sanction shall be effective on the 46th day following the
10 date notice of the sanction was given to the person.

11 The law enforcement officer submitting the sworn report
12 shall serve immediate notice of this school bus driver permit
13 sanction on the person and the sanction shall be effective on
14 the 46th day following the date notice was given.

15 In cases where the blood alcohol concentration of more than
16 0.00 is established by a subsequent analysis of blood, saliva,
17 or urine, the police officer or arresting agency shall give
18 notice as provided in this Section or by deposit in the United
19 States mail of that notice in an envelope with postage prepaid
20 and addressed to that person at his or her last known address
21 and the loss of the school bus driver permit shall be effective
22 on the 46th day following the date notice was given.

23 Upon receipt of the sworn report of a law enforcement
24 officer, the Secretary of State shall also give notice of the
25 school bus driver permit sanction to the driver and the
26 driver's current employer by mailing a notice of the effective

1 date of the sanction to the individual. However, shall the
2 sworn report be defective by not containing sufficient
3 information or be completed in error, the notice of the school
4 bus driver permit sanction may not be mailed to the person or
5 his current employer or entered to the driving record, but
6 rather the sworn report shall be returned to the issuing law
7 enforcement agency.

8 (e) A driver may contest this school bus driver permit
9 sanction by requesting an administrative hearing with the
10 Secretary of State in accordance with Section 2-118 of this
11 Code. An individual whose blood alcohol concentration is shown
12 to be more than 0.00 is not subject to this Section if he or she
13 consumed alcohol in the performance of a religious service or
14 ceremony. An individual whose blood alcohol concentration is
15 shown to be more than 0.00 shall not be subject to this Section
16 if the individual's blood alcohol concentration resulted only
17 from ingestion of the prescribed or recommended dosage of
18 medicine that contained alcohol. The petition for that hearing
19 shall not stay or delay the effective date of the impending
20 suspension. The scope of this hearing shall be limited to the
21 issues of:

22 (1) whether the police officer had probable cause to
23 believe that the person was driving or in actual physical
24 control of a school bus or any other vehicle owned or
25 operated by or for a public or private school, or a school
26 operated by a religious institution, when the vehicle is

1 being used over a regularly scheduled route for the
2 transportation of persons enrolled as students in grade 12
3 or below, in connection with any activity of the entities
4 listed, upon the public highways of the State and the
5 police officer had reason to believe that the person was in
6 violation of any provision of this Code or a similar
7 provision of a local ordinance; and

8 (2) whether the person was issued a Uniform Traffic
9 Ticket for any violation of this Code or a similar
10 provision of a local ordinance; and

11 (3) whether the police officer had probable cause to
12 believe that the driver had consumed any amount of an
13 alcoholic beverage based upon the driver's physical
14 actions or other first-hand knowledge of the police
15 officer; and

16 (4) whether the person, after being advised by the
17 officer that the privilege to possess a school bus driver
18 permit would be canceled if the person refused to submit to
19 and complete the test or tests, did refuse to submit to or
20 complete the test or tests to determine the person's
21 alcohol concentration; and

22 (5) whether the person, after being advised by the
23 officer that the privileges to possess a school bus driver
24 permit would be canceled if the person submits to a
25 chemical test or tests and the test or tests disclose an
26 alcohol concentration of more than 0.00 and the person did

1 submit to and complete the test or tests that determined an
2 alcohol concentration of more than 0.00; and

3 (6) whether the test result of an alcohol concentration
4 of more than 0.00 was based upon the person's consumption
5 of alcohol in the performance of a religious service or
6 ceremony; and

7 (7) whether the test result of an alcohol concentration
8 of more than 0.00 was based upon the person's consumption
9 of alcohol through ingestion of the prescribed or
10 recommended dosage of medicine.

11 The Secretary of State may adopt administrative rules
12 setting forth circumstances under which the holder of a school
13 bus driver permit is not required to appear in person at the
14 hearing.

15 Provided that the petitioner may subpoena the officer, the
16 hearing may be conducted upon a review of the law enforcement
17 officer's own official reports. Failure of the officer to
18 answer the subpoena shall be grounds for a continuance if, in
19 the hearing officer's discretion, the continuance is
20 appropriate. At the conclusion of the hearing held under
21 Section 2-118 of this Code, the Secretary of State may rescind,
22 continue, or modify the school bus driver permit sanction.

23 (f) The results of any chemical testing performed in
24 accordance with subsection (a) of this Section are not
25 admissible in any civil or criminal proceeding, except that the
26 results of the testing may be considered at a hearing held

1 under Section 2-118 of this Code. However, the results of the
2 testing may not be used to impose driver's license sanctions
3 under Section 11-501.1 of this Code. A law enforcement officer
4 may, however, pursue a statutory summary suspension or
5 revocation of driving privileges under Section 11-501.1 of this
6 Code if other physical evidence or first hand knowledge forms
7 the basis of that suspension or revocation.

8 (g) This Section applies only to drivers who have been
9 issued a school bus driver permit in accordance with Section
10 6-106.1 of this Code at the time of the issuance of the Uniform
11 Traffic Ticket for a violation of this Code or a similar
12 provision of a local ordinance, and a chemical test request is
13 made under this Section.

14 (h) The action of the Secretary of State in suspending,
15 revoking, canceling, or denying any license, permit,
16 registration, or certificate of title shall be subject to
17 judicial review in the Circuit Court of Sangamon County or in
18 the Circuit Court of Cook County, and the provisions of the
19 Administrative Review Law and its rules are hereby adopted and
20 shall apply to and govern every action for the judicial review
21 of final acts or decisions of the Secretary of State under this
22 Section.

23 (Source: P.A. 96-1344, eff. 7-1-11; 97-450, eff. 8-19-11.)

24 (625 ILCS 5/6-208.1) (from Ch. 95 1/2, par. 6-208.1)

25 Sec. 6-208.1. Period of statutory summary alcohol, other

1 drug, or intoxicating compound related suspension or
2 revocation.

3 (a) Unless the statutory summary suspension has been
4 rescinded, any person whose privilege to drive a motor vehicle
5 on the public highways has been summarily suspended, pursuant
6 to Section 11-501.1, shall not be eligible for restoration of
7 the privilege until the expiration of:

8 1. twelve months from the effective date of the
9 statutory summary suspension for a refusal or failure to
10 complete a test or tests authorized under Section 11-501.1,
11 if the person was not involved in a motor vehicle accident
12 that caused personal injury or death to another; or

13 2. six months from the effective date of the statutory
14 summary suspension imposed following the person's
15 submission to a chemical test which disclosed an alcohol
16 concentration of 0.08 or more, or any amount of a drug,
17 substance, or intoxicating compound in such person's
18 breath, blood, saliva, or urine resulting from the unlawful
19 use or consumption of cannabis listed in the Cannabis
20 Control Act, a controlled substance listed in the Illinois
21 Controlled Substances Act, an intoxicating compound listed
22 in the Use of Intoxicating Compounds Act, or
23 methamphetamine as listed in the Methamphetamine Control
24 and Community Protection Act, pursuant to Section
25 11-501.1; or

26 3. three years from the effective date of the statutory

1 summary suspension for any person other than a first
2 offender who refuses or fails to complete a test or tests
3 to determine the alcohol, drug, or intoxicating compound
4 concentration pursuant to Section 11-501.1; or

5 4. one year from the effective date of the summary
6 suspension imposed for any person other than a first
7 offender following submission to a chemical test which
8 disclosed an alcohol concentration of 0.08 or more pursuant
9 to Section 11-501.1 or any amount of a drug, substance or
10 compound in such person's blood, saliva, or urine resulting
11 from the unlawful use or consumption of cannabis listed in
12 the Cannabis Control Act, a controlled substance listed in
13 the Illinois Controlled Substances Act, an intoxicating
14 compound listed in the Use of Intoxicating Compounds Act,
15 or methamphetamine as listed in the Methamphetamine
16 Control and Community Protection Act; or

17 5. six months from the effective date of the statutory
18 summary suspension imposed for any person following
19 submission to a standardized field sobriety test that
20 disclosed impairment if the person is a qualifying patient
21 licensed under the Compassionate Use of Medical Cannabis
22 Pilot Program Act who is in possession of a valid registry
23 card issued under that Act and submitted to testing under
24 subsection (a-5) of Section 11-501.1.

25 (b) Following a statutory summary suspension of the
26 privilege to drive a motor vehicle under Section 11-501.1,

1 driving privileges shall be restored unless the person is
2 otherwise suspended, revoked, or cancelled by this Code. If the
3 court has reason to believe that the person's driving privilege
4 should not be restored, the court shall notify the Secretary of
5 State prior to the expiration of the statutory summary
6 suspension so appropriate action may be taken pursuant to this
7 Code.

8 (c) Driving privileges may not be restored until all
9 applicable reinstatement fees, as provided by this Code, have
10 been paid to the Secretary of State and the appropriate entry
11 made to the driver's record.

12 (d) Where a driving privilege has been summarily suspended
13 or revoked under Section 11-501.1 and the person is
14 subsequently convicted of violating Section 11-501, or a
15 similar provision of a local ordinance, for the same incident,
16 any period served on statutory summary suspension or revocation
17 shall be credited toward the minimum period of revocation of
18 driving privileges imposed pursuant to Section 6-205.

19 (e) A first offender who refused chemical testing and whose
20 driving privileges were summarily revoked pursuant to Section
21 11-501.1 shall not be eligible for a monitoring device driving
22 permit, but may make application for reinstatement or for a
23 restricted driving permit after a period of one year has
24 elapsed from the effective date of the revocation.

25 (f) (Blank).

26 (g) Following a statutory summary suspension of driving

1 privileges pursuant to Section 11-501.1 where the person was
2 not a first offender, as defined in Section 11-500, the
3 Secretary of State may not issue a restricted driving permit.

4 (h) (Blank).

5 (Source: P.A. 97-229, eff. 7-28-11; 98-122, eff. 1-1-14;
6 98-1015, eff. 8-22-14.)

7 (625 ILCS 5/6-514) (from Ch. 95 1/2, par. 6-514)

8 (Text of Section before amendment by P.A. 98-176)

9 Sec. 6-514. Commercial driver's license (CDL); commercial
10 learner's permit (CLP); disqualifications.

11 (a) A person shall be disqualified from driving a
12 commercial motor vehicle for a period of not less than 12
13 months for the first violation of:

14 (1) Refusing to submit to or failure to complete a test
15 or tests authorized under Section 11-501.1 while driving a
16 commercial motor vehicle or, if the driver is a CDL holder,
17 while driving a non-CMV; or

18 (2) Operating a commercial motor vehicle while the
19 alcohol concentration of the person's blood, breath,
20 saliva, or urine is at least 0.04, or any amount of a drug,
21 substance, or compound in the person's blood, saliva, or
22 urine resulting from the unlawful use or consumption of
23 cannabis listed in the Cannabis Control Act, a controlled
24 substance listed in the Illinois Controlled Substances
25 Act, or methamphetamine as listed in the Methamphetamine

1 Control and Community Protection Act as indicated by a
2 police officer's sworn report or other verified evidence;
3 or operating a non-commercial motor vehicle while the
4 alcohol concentration of the person's blood, breath,
5 saliva, or urine was above the legal limit defined in
6 Section 11-501.1 or 11-501.8 or any amount of a drug,
7 substance, or compound in the person's blood, saliva, or
8 urine resulting from the unlawful use or consumption of
9 cannabis listed in the Cannabis Control Act, a controlled
10 substance listed in the Illinois Controlled Substances
11 Act, or methamphetamine as listed in the Methamphetamine
12 Control and Community Protection Act as indicated by a
13 police officer's sworn report or other verified evidence
14 while holding a commercial driver's license; or

15 (3) Conviction for a first violation of:

16 (i) Driving a commercial motor vehicle or, if the
17 driver is a CDL holder, driving a non-CMV while under
18 the influence of alcohol, or any other drug, or
19 combination of drugs to a degree which renders such
20 person incapable of safely driving; or

21 (ii) Knowingly leaving the scene of an accident
22 while operating a commercial motor vehicle or, if the
23 driver is a CDL holder, while driving a non-CMV; or

24 (iii) Driving a commercial motor vehicle or, if the
25 driver is a CDL holder, driving a non-CMV while
26 committing any felony; or

1 (iv) Driving a commercial motor vehicle while the
2 person's driving privileges or driver's license or
3 permit is revoked, suspended, or cancelled or the
4 driver is disqualified from operating a commercial
5 motor vehicle; or

6 (v) Causing a fatality through the negligent
7 operation of a commercial motor vehicle, including but
8 not limited to the crimes of motor vehicle
9 manslaughter, homicide by a motor vehicle, and
10 negligent homicide.

11 As used in this subdivision (a)(3)(v), "motor
12 vehicle manslaughter" means the offense of involuntary
13 manslaughter if committed by means of a vehicle;
14 "homicide by a motor vehicle" means the offense of
15 first degree murder or second degree murder, if either
16 offense is committed by means of a vehicle; and
17 "negligent homicide" means reckless homicide under
18 Section 9-3 of the Criminal Code of 1961 or the
19 Criminal Code of 2012 and aggravated driving under the
20 influence of alcohol, other drug or drugs,
21 intoxicating compound or compounds, or any combination
22 thereof under subdivision (d)(1)(F) of Section 11-501
23 of this Code.

24 If any of the above violations or refusals occurred
25 while transporting hazardous material(s) required to be
26 placarded, the person shall be disqualified for a period of

1 not less than 3 years; or

2 (4) If the person is a qualifying patient licensed
3 under the Compassionate Use of Medical Cannabis Pilot
4 Program Act who is in possession of a valid registry card
5 issued under that Act, operating a commercial motor vehicle
6 under impairment resulting from the consumption of
7 cannabis, as determined by failure of standardized field
8 sobriety tests administered by a law enforcement officer as
9 directed by subsection (a-5) of Section 11-501.2.

10 (b) A person is disqualified for life for a second
11 conviction of any of the offenses specified in paragraph (a),
12 or any combination of those offenses, arising from 2 or more
13 separate incidents.

14 (c) A person is disqualified from driving a commercial
15 motor vehicle for life if the person either (i) uses a
16 commercial motor vehicle in the commission of any felony
17 involving the manufacture, distribution, or dispensing of a
18 controlled substance, or possession with intent to
19 manufacture, distribute or dispense a controlled substance or
20 (ii) if the person is a CDL holder, uses a non-CMV in the
21 commission of a felony involving any of those activities.

22 (d) The Secretary of State may, when the United States
23 Secretary of Transportation so authorizes, issue regulations
24 in which a disqualification for life under paragraph (b) may be
25 reduced to a period of not less than 10 years. If a reinstated
26 driver is subsequently convicted of another disqualifying

1 offense, as specified in subsection (a) of this Section, he or
2 she shall be permanently disqualified for life and shall be
3 ineligible to again apply for a reduction of the lifetime
4 disqualification.

5 (e) A person is disqualified from driving a commercial
6 motor vehicle for a period of not less than 2 months if
7 convicted of 2 serious traffic violations, committed in a
8 commercial motor vehicle, non-CMV while holding a CDL, or any
9 combination thereof, arising from separate incidents,
10 occurring within a 3 year period, provided the serious traffic
11 violation committed in a non-CMV would result in the suspension
12 or revocation of the CDL holder's non-CMV privileges. However,
13 a person will be disqualified from driving a commercial motor
14 vehicle for a period of not less than 4 months if convicted of
15 3 serious traffic violations, committed in a commercial motor
16 vehicle, non-CMV while holding a CDL, or any combination
17 thereof, arising from separate incidents, occurring within a 3
18 year period, provided the serious traffic violation committed
19 in a non-CMV would result in the suspension or revocation of
20 the CDL holder's non-CMV privileges. If all the convictions
21 occurred in a non-CMV, the disqualification shall be entered
22 only if the convictions would result in the suspension or
23 revocation of the CDL holder's non-CMV privileges.

24 (e-1) (Blank).

25 (f) Notwithstanding any other provision of this Code, any
26 driver disqualified from operating a commercial motor vehicle,

1 pursuant to this UCDLA, shall not be eligible for restoration
2 of commercial driving privileges during any such period of
3 disqualification.

4 (g) After suspending, revoking, or cancelling a commercial
5 driver's license, the Secretary of State must update the
6 driver's records to reflect such action within 10 days. After
7 suspending or revoking the driving privilege of any person who
8 has been issued a CDL or commercial driver instruction permit
9 from another jurisdiction, the Secretary shall originate
10 notification to such issuing jurisdiction within 10 days.

11 (h) The "disqualifications" referred to in this Section
12 shall not be imposed upon any commercial motor vehicle driver,
13 by the Secretary of State, unless the prohibited action(s)
14 occurred after March 31, 1992.

15 (i) A person is disqualified from driving a commercial
16 motor vehicle in accordance with the following:

17 (1) For 6 months upon a first conviction of paragraph
18 (2) of subsection (b) or subsection (b-3) of Section 6-507
19 of this Code.

20 (2) For 2 years upon a second conviction of paragraph
21 (2) of subsection (b) or subsection (b-3) or any
22 combination of paragraphs (2) or (3) of subsection (b) or
23 subsections (b-3) or (b-5) of Section 6-507 of this Code
24 within a 10-year period if the second conviction is a
25 violation of paragraph (2) of subsection (b) or subsection
26 (b-3).

1 (3) For 3 years upon a third or subsequent conviction
2 of paragraph (2) of subsection (b) or subsection (b-3) or
3 any combination of paragraphs (2) or (3) of subsection (b)
4 or subsections (b-3) or (b-5) of Section 6-507 of this Code
5 within a 10-year period if the third or subsequent
6 conviction is a violation of paragraph (2) of subsection
7 (b) or subsection (b-3).

8 (4) For one year upon a first conviction of paragraph
9 (3) of subsection (b) or subsection (b-5) of Section 6-507
10 of this Code.

11 (5) For 3 years upon a second conviction of paragraph
12 (3) of subsection (b) or subsection (b-5) or any
13 combination of paragraphs (2) or (3) of subsection (b) or
14 subsections (b-3) or (b-5) of Section 6-507 of this Code
15 within a 10-year period if the second conviction is a
16 violation of paragraph (3) of subsection (b) or (b-5).

17 (6) For 5 years upon a third or subsequent conviction
18 of paragraph (3) of subsection (b) or subsection (b-5) or
19 any combination of paragraphs (2) or (3) of subsection (b)
20 or subsections (b-3) or (b-5) of Section 6-507 of this Code
21 within a 10-year period if the third or subsequent
22 conviction is a violation of paragraph (3) of subsection
23 (b) or (b-5).

24 (j) Disqualification for railroad-highway grade crossing
25 violation.

26 (1) General rule. A driver who is convicted of a

1 violation of a federal, State, or local law or regulation
2 pertaining to one of the following 6 offenses at a
3 railroad-highway grade crossing must be disqualified from
4 operating a commercial motor vehicle for the period of time
5 specified in paragraph (2) of this subsection (j) if the
6 offense was committed while operating a commercial motor
7 vehicle:

8 (i) For drivers who are not required to always
9 stop, failing to slow down and check that the tracks
10 are clear of an approaching train or railroad track
11 equipment, as described in subsection (a-5) of Section
12 11-1201 of this Code;

13 (ii) For drivers who are not required to always
14 stop, failing to stop before reaching the crossing, if
15 the tracks are not clear, as described in subsection
16 (a) of Section 11-1201 of this Code;

17 (iii) For drivers who are always required to stop,
18 failing to stop before driving onto the crossing, as
19 described in Section 11-1202 of this Code;

20 (iv) For all drivers, failing to have sufficient
21 space to drive completely through the crossing without
22 stopping, as described in subsection (b) of Section
23 11-1425 of this Code;

24 (v) For all drivers, failing to obey a traffic
25 control device or the directions of an enforcement
26 official at the crossing, as described in subdivision

1 (a)2 of Section 11-1201 of this Code;

2 (vi) For all drivers, failing to negotiate a
3 crossing because of insufficient undercarriage
4 clearance, as described in subsection (d-1) of Section
5 11-1201 of this Code.

6 (2) Duration of disqualification for railroad-highway
7 grade crossing violation.

8 (i) First violation. A driver must be disqualified
9 from operating a commercial motor vehicle for not less
10 than 60 days if the driver is convicted of a violation
11 described in paragraph (1) of this subsection (j) and,
12 in the three-year period preceding the conviction, the
13 driver had no convictions for a violation described in
14 paragraph (1) of this subsection (j).

15 (ii) Second violation. A driver must be
16 disqualified from operating a commercial motor vehicle
17 for not less than 120 days if the driver is convicted
18 of a violation described in paragraph (1) of this
19 subsection (j) and, in the three-year period preceding
20 the conviction, the driver had one other conviction for
21 a violation described in paragraph (1) of this
22 subsection (j) that was committed in a separate
23 incident.

24 (iii) Third or subsequent violation. A driver must
25 be disqualified from operating a commercial motor
26 vehicle for not less than one year if the driver is

1 convicted of a violation described in paragraph (1) of
2 this subsection (j) and, in the three-year period
3 preceding the conviction, the driver had 2 or more
4 other convictions for violations described in
5 paragraph (1) of this subsection (j) that were
6 committed in separate incidents.

7 (k) Upon notification of a disqualification of a driver's
8 commercial motor vehicle privileges imposed by the U.S.
9 Department of Transportation, Federal Motor Carrier Safety
10 Administration, in accordance with 49 C.F.R. 383.52, the
11 Secretary of State shall immediately record to the driving
12 record the notice of disqualification and confirm to the driver
13 the action that has been taken.

14 (l) A foreign commercial driver is subject to
15 disqualification under this Section.

16 (Source: P.A. 97-333, eff. 8-12-11; 97-1150, eff. 1-25-13;
17 98-122, eff. 1-1-14; 98-722, eff. 7-16-14; 98-756, eff.
18 7-16-14.)

19 (Text of Section after amendment by P.A. 98-176)

20 Sec. 6-514. Commercial driver's license (CDL); commercial
21 learner's permit (CLP); disqualifications.

22 (a) A person shall be disqualified from driving a
23 commercial motor vehicle for a period of not less than 12
24 months for the first violation of:

25 (1) Refusing to submit to or failure to complete a test

1 or tests authorized under Section 11-501.1 while driving a
2 commercial motor vehicle or, if the driver is a CLP or CDL
3 holder, while driving a non-CMV; or

4 (2) Operating a commercial motor vehicle while the
5 alcohol concentration of the person's blood, breath,
6 saliva, or urine is at least 0.04, or any amount of a drug,
7 substance, or compound in the person's blood, saliva, or
8 urine resulting from the unlawful use or consumption of
9 cannabis listed in the Cannabis Control Act, a controlled
10 substance listed in the Illinois Controlled Substances
11 Act, or methamphetamine as listed in the Methamphetamine
12 Control and Community Protection Act as indicated by a
13 police officer's sworn report or other verified evidence;
14 or operating a non-commercial motor vehicle while the
15 alcohol concentration of the person's blood, breath,
16 saliva, or urine was above the legal limit defined in
17 Section 11-501.1 or 11-501.8 or any amount of a drug,
18 substance, or compound in the person's blood, saliva, or
19 urine resulting from the unlawful use or consumption of
20 cannabis listed in the Cannabis Control Act, a controlled
21 substance listed in the Illinois Controlled Substances
22 Act, or methamphetamine as listed in the Methamphetamine
23 Control and Community Protection Act as indicated by a
24 police officer's sworn report or other verified evidence
25 while holding a CLP or CDL; or

26 (3) Conviction for a first violation of:

1 (i) Driving a commercial motor vehicle or, if the
2 driver is a CLP or CDL holder, driving a non-CMV while
3 under the influence of alcohol, or any other drug, or
4 combination of drugs to a degree which renders such
5 person incapable of safely driving; or

6 (ii) Knowingly leaving the scene of an accident
7 while operating a commercial motor vehicle or, if the
8 driver is a CLP or CDL holder, while driving a non-CMV;
9 or

10 (iii) Driving a commercial motor vehicle or, if the
11 driver is a CLP or CDL holder, driving a non-CMV while
12 committing any felony; or

13 (iv) Driving a commercial motor vehicle while the
14 person's driving privileges or driver's license or
15 permit is revoked, suspended, or cancelled or the
16 driver is disqualified from operating a commercial
17 motor vehicle; or

18 (v) Causing a fatality through the negligent
19 operation of a commercial motor vehicle, including but
20 not limited to the crimes of motor vehicle
21 manslaughter, homicide by a motor vehicle, and
22 negligent homicide.

23 As used in this subdivision (a)(3)(v), "motor
24 vehicle manslaughter" means the offense of involuntary
25 manslaughter if committed by means of a vehicle;
26 "homicide by a motor vehicle" means the offense of

1 first degree murder or second degree murder, if either
2 offense is committed by means of a vehicle; and
3 "negligent homicide" means reckless homicide under
4 Section 9-3 of the Criminal Code of 1961 or the
5 Criminal Code of 2012 and aggravated driving under the
6 influence of alcohol, other drug or drugs,
7 intoxicating compound or compounds, or any combination
8 thereof under subdivision (d)(1)(F) of Section 11-501
9 of this Code.

10 If any of the above violations or refusals occurred
11 while transporting hazardous material(s) required to be
12 placarded, the person shall be disqualified for a period of
13 not less than 3 years; or

14 (4) If the person is a qualifying patient licensed
15 under the Compassionate Use of Medical Cannabis Pilot
16 Program Act who is in possession of a valid registry card
17 issued under that Act, operating a commercial motor vehicle
18 under impairment resulting from the consumption of
19 cannabis, as determined by failure of standardized field
20 sobriety tests administered by a law enforcement officer as
21 directed by subsection (a-5) of Section 11-501.2.

22 (b) A person is disqualified for life for a second
23 conviction of any of the offenses specified in paragraph (a),
24 or any combination of those offenses, arising from 2 or more
25 separate incidents.

26 (c) A person is disqualified from driving a commercial

1 motor vehicle for life if the person either (i) uses a
2 commercial motor vehicle in the commission of any felony
3 involving the manufacture, distribution, or dispensing of a
4 controlled substance, or possession with intent to
5 manufacture, distribute or dispense a controlled substance or
6 (ii) if the person is a CLP or CDL holder, uses a non-CMV in the
7 commission of a felony involving any of those activities.

8 (d) The Secretary of State may, when the United States
9 Secretary of Transportation so authorizes, issue regulations
10 in which a disqualification for life under paragraph (b) may be
11 reduced to a period of not less than 10 years. If a reinstated
12 driver is subsequently convicted of another disqualifying
13 offense, as specified in subsection (a) of this Section, he or
14 she shall be permanently disqualified for life and shall be
15 ineligible to again apply for a reduction of the lifetime
16 disqualification.

17 (e) A person is disqualified from driving a commercial
18 motor vehicle for a period of not less than 2 months if
19 convicted of 2 serious traffic violations, committed in a
20 commercial motor vehicle, non-CMV while holding a CLP or CDL,
21 or any combination thereof, arising from separate incidents,
22 occurring within a 3 year period, provided the serious traffic
23 violation committed in a non-CMV would result in the suspension
24 or revocation of the CLP or CDL holder's non-CMV privileges.
25 However, a person will be disqualified from driving a
26 commercial motor vehicle for a period of not less than 4 months

1 if convicted of 3 serious traffic violations, committed in a
2 commercial motor vehicle, non-CMV while holding a CLP or CDL,
3 or any combination thereof, arising from separate incidents,
4 occurring within a 3 year period, provided the serious traffic
5 violation committed in a non-CMV would result in the suspension
6 or revocation of the CLP or CDL holder's non-CMV privileges. If
7 all the convictions occurred in a non-CMV, the disqualification
8 shall be entered only if the convictions would result in the
9 suspension or revocation of the CLP or CDL holder's non-CMV
10 privileges.

11 (e-1) (Blank).

12 (f) Notwithstanding any other provision of this Code, any
13 driver disqualified from operating a commercial motor vehicle,
14 pursuant to this UCDLA, shall not be eligible for restoration
15 of commercial driving privileges during any such period of
16 disqualification.

17 (g) After suspending, revoking, or cancelling a CLP or CDL,
18 the Secretary of State must update the driver's records to
19 reflect such action within 10 days. After suspending or
20 revoking the driving privilege of any person who has been
21 issued a CLP or CDL from another jurisdiction, the Secretary
22 shall originate notification to such issuing jurisdiction
23 within 10 days.

24 (h) The "disqualifications" referred to in this Section
25 shall not be imposed upon any commercial motor vehicle driver,
26 by the Secretary of State, unless the prohibited action(s)

1 occurred after March 31, 1992.

2 (i) A person is disqualified from driving a commercial
3 motor vehicle in accordance with the following:

4 (1) For 6 months upon a first conviction of paragraph
5 (2) of subsection (b) or subsection (b-3) of Section 6-507
6 of this Code.

7 (2) For 2 years upon a second conviction of paragraph
8 (2) of subsection (b) or subsection (b-3) or any
9 combination of paragraphs (2) or (3) of subsection (b) or
10 subsections (b-3) or (b-5) of Section 6-507 of this Code
11 within a 10-year period if the second conviction is a
12 violation of paragraph (2) of subsection (b) or subsection
13 (b-3).

14 (3) For 3 years upon a third or subsequent conviction
15 of paragraph (2) of subsection (b) or subsection (b-3) or
16 any combination of paragraphs (2) or (3) of subsection (b)
17 or subsections (b-3) or (b-5) of Section 6-507 of this Code
18 within a 10-year period if the third or subsequent
19 conviction is a violation of paragraph (2) of subsection
20 (b) or subsection (b-3).

21 (4) For one year upon a first conviction of paragraph
22 (3) of subsection (b) or subsection (b-5) of Section 6-507
23 of this Code.

24 (5) For 3 years upon a second conviction of paragraph
25 (3) of subsection (b) or subsection (b-5) or any
26 combination of paragraphs (2) or (3) of subsection (b) or

1 subsections (b-3) or (b-5) of Section 6-507 of this Code
2 within a 10-year period if the second conviction is a
3 violation of paragraph (3) of subsection (b) or (b-5).

4 (6) For 5 years upon a third or subsequent conviction
5 of paragraph (3) of subsection (b) or subsection (b-5) or
6 any combination of paragraphs (2) or (3) of subsection (b)
7 or subsections (b-3) or (b-5) of Section 6-507 of this Code
8 within a 10-year period if the third or subsequent
9 conviction is a violation of paragraph (3) of subsection
10 (b) or (b-5).

11 (j) Disqualification for railroad-highway grade crossing
12 violation.

13 (1) General rule. A driver who is convicted of a
14 violation of a federal, State, or local law or regulation
15 pertaining to one of the following 6 offenses at a
16 railroad-highway grade crossing must be disqualified from
17 operating a commercial motor vehicle for the period of time
18 specified in paragraph (2) of this subsection (j) if the
19 offense was committed while operating a commercial motor
20 vehicle:

21 (i) For drivers who are not required to always
22 stop, failing to slow down and check that the tracks
23 are clear of an approaching train or railroad track
24 equipment, as described in subsection (a-5) of Section
25 11-1201 of this Code;

26 (ii) For drivers who are not required to always

1 stop, failing to stop before reaching the crossing, if
2 the tracks are not clear, as described in subsection
3 (a) of Section 11-1201 of this Code;

4 (iii) For drivers who are always required to stop,
5 failing to stop before driving onto the crossing, as
6 described in Section 11-1202 of this Code;

7 (iv) For all drivers, failing to have sufficient
8 space to drive completely through the crossing without
9 stopping, as described in subsection (b) of Section
10 11-1425 of this Code;

11 (v) For all drivers, failing to obey a traffic
12 control device or the directions of an enforcement
13 official at the crossing, as described in subdivision
14 (a)2 of Section 11-1201 of this Code;

15 (vi) For all drivers, failing to negotiate a
16 crossing because of insufficient undercarriage
17 clearance, as described in subsection (d-1) of Section
18 11-1201 of this Code.

19 (2) Duration of disqualification for railroad-highway
20 grade crossing violation.

21 (i) First violation. A driver must be disqualified
22 from operating a commercial motor vehicle for not less
23 than 60 days if the driver is convicted of a violation
24 described in paragraph (1) of this subsection (j) and,
25 in the three-year period preceding the conviction, the
26 driver had no convictions for a violation described in

1 paragraph (1) of this subsection (j).

2 (ii) Second violation. A driver must be
3 disqualified from operating a commercial motor vehicle
4 for not less than 120 days if the driver is convicted
5 of a violation described in paragraph (1) of this
6 subsection (j) and, in the three-year period preceding
7 the conviction, the driver had one other conviction for
8 a violation described in paragraph (1) of this
9 subsection (j) that was committed in a separate
10 incident.

11 (iii) Third or subsequent violation. A driver must
12 be disqualified from operating a commercial motor
13 vehicle for not less than one year if the driver is
14 convicted of a violation described in paragraph (1) of
15 this subsection (j) and, in the three-year period
16 preceding the conviction, the driver had 2 or more
17 other convictions for violations described in
18 paragraph (1) of this subsection (j) that were
19 committed in separate incidents.

20 (k) Upon notification of a disqualification of a driver's
21 commercial motor vehicle privileges imposed by the U.S.
22 Department of Transportation, Federal Motor Carrier Safety
23 Administration, in accordance with 49 C.F.R. 383.52, the
24 Secretary of State shall immediately record to the driving
25 record the notice of disqualification and confirm to the driver
26 the action that has been taken.

1 (1) A foreign commercial driver is subject to
2 disqualification under this Section.

3 (Source: P.A. 97-333, eff. 8-12-11; 97-1150, eff. 1-25-13;
4 98-122, eff. 1-1-14; 98-176, eff. 7-8-15 (see Section 10 of
5 P.A. 98-722 for the effective date of changes made by P.A.
6 98-176); 98-722, eff. 7-16-14; 98-756, eff. 7-16-14.)

7 (625 ILCS 5/6-516) (from Ch. 95 1/2, par. 6-516)

8 Sec. 6-516. Implied consent requirements for commercial
9 motor vehicle drivers.

10 (a) Effective April 1, 1992, any person who drives a
11 commercial motor vehicle upon the highways is hereby deemed to
12 have given consent to submit to a test or tests, subject to the
13 provisions of Section 11-501.2 of this Code, of such person's
14 breath, blood, saliva, or urine for the purpose of determining
15 the presence of alcohol, or other drugs, in such person's
16 system.

17 (b) A test or tests may be administered at the direction of
18 a law enforcement officer, who after stopping or detaining the
19 commercial motor vehicle driver, has probable cause to believe
20 that driver was driving a commercial motor vehicle while having
21 alcohol or any amount of a drug, substance, or compound
22 resulting from the unlawful use or consumption of cannabis
23 listed in the Cannabis Control Act, a controlled substance
24 listed in the Illinois Controlled Substances Act, or
25 methamphetamine as listed in the Methamphetamine Control and

1 Community Protection Act in such driver's system.

2 (c) Effective April 1, 1992, any person who operates a
3 school bus at the time of an accident involving the school bus
4 is hereby deemed to have given consent to submit to a test or
5 tests to be administered at the direction of a law enforcement
6 officer, subject to the provisions of Section 11-501.2 of this
7 Code, of the driver's breath, blood, saliva, or urine for the
8 purpose of determining the presence of alcohol, or other drugs,
9 in the person's system.

10 (Source: P.A. 95-355, eff. 1-1-08.)

11 (625 ILCS 5/6-517) (from Ch. 95 1/2, par. 6-517)

12 Sec. 6-517. Commercial driver; implied consent warnings.

13 (a) Any person driving a commercial motor vehicle who is
14 requested by a police officer, pursuant to Section 6-516, to
15 submit to a chemical test or tests to determine the alcohol
16 concentration or any amount of a drug, substance, or compound
17 resulting from the unlawful use or consumption of cannabis
18 listed in the Cannabis Control Act, a controlled substance
19 listed in the Illinois Controlled Substances Act, an
20 intoxicating compound listed in the Use of Intoxicating
21 Compounds Act, or methamphetamine as listed in the
22 Methamphetamine Control and Community Protection Act in such
23 person's system, must be warned by the police officer
24 requesting the test or tests that a refusal to submit to the
25 test or tests will result in that person being immediately

1 placed out-of-service for a period of 24 hours and being
2 disqualified from operating a commercial motor vehicle for a
3 period of not less than 12 months; the person shall also be
4 warned that if such person submits to testing which discloses
5 an alcohol concentration of greater than 0.00 but less than
6 0.04 or any amount of a drug, substance, or compound in such
7 person's blood, saliva, or urine resulting from the unlawful
8 use or consumption of cannabis listed in the Cannabis Control
9 Act, a controlled substance listed in the Illinois Controlled
10 Substances Act, an intoxicating compound listed in the Use of
11 Intoxicating Compounds Act, or methamphetamine as listed in the
12 Methamphetamine Control and Community Protection Act, such
13 person shall be placed immediately out-of-service for a period
14 of 24 hours; if the person submits to testing which discloses
15 an alcohol concentration of 0.04 or more or any amount of a
16 drug, substance, or compound in such person's blood, saliva, or
17 urine resulting from the unlawful use or consumption of
18 cannabis listed in the Cannabis Control Act, a controlled
19 substance listed in the Illinois Controlled Substances Act, an
20 intoxicating compound listed in the Use of Intoxicating
21 Compounds Act, or methamphetamine as listed in the
22 Methamphetamine Control and Community Protection Act, such
23 person shall be placed immediately out-of-service and
24 disqualified from driving a commercial motor vehicle for a
25 period of at least 12 months; also the person shall be warned
26 that if such testing discloses an alcohol concentration of

1 0.08, or more or any amount of a drug, substance, or compound
2 in such person's blood, saliva, or urine resulting from the
3 unlawful use or consumption of cannabis listed in the Cannabis
4 Control Act, a controlled substance listed in the Illinois
5 Controlled Substances Act, an intoxicating compound listed in
6 the Use of Intoxicating Compounds Act, or methamphetamine as
7 listed in the Methamphetamine Control and Community Protection
8 Act, in addition to the person being immediately placed
9 out-of-service and disqualified for 12 months as provided in
10 this UCCLA, the results of such testing shall also be
11 admissible in prosecutions for violations of Section 11-501 of
12 this Code, or similar violations of local ordinances, however,
13 such results shall not be used to impose any driving sanctions
14 pursuant to Section 11-501.1 of this Code.

15 The person shall also be warned that any disqualification
16 imposed pursuant to this Section, shall be for life for any
17 such offense or refusal, or combination thereof; including a
18 conviction for violating Section 11-501 while driving a
19 commercial motor vehicle, or similar provisions of local
20 ordinances, committed a second time involving separate
21 incidents.

22 (b) If the person refuses or fails to complete testing, or
23 submits to a test which discloses an alcohol concentration of
24 at least 0.04, or any amount of a drug, substance, or compound
25 in such person's blood, saliva, or urine resulting from the
26 unlawful use or consumption of cannabis listed in the Cannabis

1 Control Act, a controlled substance listed in the Illinois
2 Controlled Substances Act, an intoxicating compound listed in
3 the Use of Intoxicating Compounds Act, or methamphetamine as
4 listed in the Methamphetamine Control and Community Protection
5 Act, the law enforcement officer must submit a Sworn Report to
6 the Secretary of State, in a form prescribed by the Secretary,
7 certifying that the test or tests was requested pursuant to
8 paragraph (a); that the person was warned, as provided in
9 paragraph (a) and that such person refused to submit to or
10 failed to complete testing, or submitted to a test which
11 disclosed an alcohol concentration of 0.04 or more, or any
12 amount of a drug, substance, or compound in such person's
13 blood, saliva, or urine resulting from the unlawful use or
14 consumption of cannabis listed in the Cannabis Control Act, a
15 controlled substance listed in the Illinois Controlled
16 Substances Act, an intoxicating compound listed in the Use of
17 Intoxicating Compounds Act, or methamphetamine as listed in the
18 Methamphetamine Control and Community Protection Act.

19 (c) The police officer submitting the Sworn Report under
20 this Section shall serve notice of the CDL disqualification on
21 the person and such CDL disqualification shall be effective as
22 provided in paragraph (d). In cases where the blood alcohol
23 concentration of 0.04 or more, or any amount of a drug,
24 substance, or compound in such person's blood, saliva, or urine
25 resulting from the unlawful use or consumption of cannabis
26 listed in the Cannabis Control Act, a controlled substance

1 listed in the Illinois Controlled Substances Act, an
2 intoxicating compound listed in the Use of Intoxicating
3 Compounds Act, or methamphetamine as listed in the
4 Methamphetamine Control and Community Protection Act, is
5 established by subsequent analysis of blood, saliva, or urine
6 collected at the time of the request, the police officer shall
7 give notice as provided in this Section or by deposit in the
8 United States mail of such notice as provided in this Section
9 or by deposit in the United States mail of such notice in an
10 envelope with postage prepaid and addressed to such person's
11 domiciliary address as shown on the Sworn Report and the CDL
12 disqualification shall begin as provided in paragraph (d).

13 (d) The CDL disqualification referred to in this Section
14 shall take effect on the 46th day following the date the Sworn
15 Report was given to the affected person.

16 (e) Upon receipt of the Sworn Report from the police
17 officer, the Secretary of State shall disqualify the person
18 from driving any commercial motor vehicle and shall confirm the
19 CDL disqualification by mailing the notice of the effective
20 date to the person. However, should the Sworn Report be
21 defective by not containing sufficient information or be
22 completed in error, the confirmation of the CDL
23 disqualification shall not be mailed to the affected person or
24 entered into the record, instead the Sworn Report shall be
25 forwarded to the issuing agency identifying any such defect.

26 (Source: P.A. 95-355, eff. 1-1-08.)

1 (625 ILCS 5/11-401) (from Ch. 95 1/2, par. 11-401)

2 Sec. 11-401. Motor vehicle accidents involving death or
3 personal injuries.

4 (a) The driver of any vehicle involved in a motor vehicle
5 accident resulting in personal injury to or death of any person
6 shall immediately stop such vehicle at the scene of such
7 accident, or as close thereto as possible and shall then
8 forthwith return to, and in every event shall remain at the
9 scene of the accident until the requirements of Section 11-403
10 have been fulfilled. Every such stop shall be made without
11 obstructing traffic more than is necessary.

12 (b) Any person who has failed to stop or to comply with the
13 requirements of paragraph (a) shall, as soon as possible but in
14 no case later than one-half hour after such motor vehicle
15 accident, or, if hospitalized and incapacitated from reporting
16 at any time during such period, as soon as possible but in no
17 case later than one-half hour after being discharged from the
18 hospital, report the place of the accident, the date, the
19 approximate time, the driver's name and address, the
20 registration number of the vehicle driven, and the names of all
21 other occupants of such vehicle, at a police station or
22 sheriff's office near the place where such accident occurred.
23 No report made as required under this paragraph shall be used,
24 directly or indirectly, as a basis for the prosecution of any
25 violation of paragraph (a).

1 (b-1) Any person arrested for violating this Section is
2 subject to chemical testing of his or her blood, breath,
3 saliva, or urine for the presence of alcohol, other drug or
4 drugs, intoxicating compound or compounds, or any combination
5 thereof, as provided in Section 11-501.1, if the testing occurs
6 within 12 hours of the time of the occurrence of the accident
7 that led to his or her arrest. The person's driving privileges
8 are subject to statutory summary suspension under Section
9 11-501.1 if he or she fails testing or statutory summary
10 revocation under Section 11-501.1 if he or she refuses to
11 undergo the testing.

12 For purposes of this Section, personal injury shall mean
13 any injury requiring immediate professional treatment in a
14 medical facility or doctor's office.

15 (c) Any person failing to comply with paragraph (a) shall
16 be guilty of a Class 4 felony.

17 (d) Any person failing to comply with paragraph (b) is
18 guilty of a Class 2 felony if the motor vehicle accident does
19 not result in the death of any person. Any person failing to
20 comply with paragraph (b) when the accident results in the
21 death of any person is guilty of a Class 1 felony.

22 (e) The Secretary of State shall revoke the driving
23 privilege of any person convicted of a violation of this
24 Section.

25 (Source: P.A. 95-347, eff. 1-1-08; 96-1344, eff. 7-1-11.)

1 (625 ILCS 5/11-500) (from Ch. 95 1/2, par. 11-500)

2 Sec. 11-500. Definitions. For the purposes of interpreting
3 Sections 6-206.1 and 6-208.1 of this Code, "first offender"
4 shall mean any person who has not had a previous conviction or
5 court assigned supervision for violating Section 11-501, or a
6 similar provision of a local ordinance, or a conviction in any
7 other state for a violation of driving while under the
8 influence or a similar offense where the cause of action is the
9 same or substantially similar to this Code or similar offenses
10 committed on a military installation, or any person who has not
11 had a driver's license suspension pursuant to paragraph 6 of
12 subsection (a) of Section 6-206 as the result of refusal of
13 chemical testing in another state, or any person who has not
14 had a driver's license suspension or revocation for violating
15 Section 11-501.1 within 5 years prior to the date of the
16 current offense, except in cases where the driver submitted to
17 chemical testing resulting in an alcohol concentration of 0.08
18 or more, or any amount of a drug, substance, or compound in
19 such person's blood, saliva, or urine resulting from the
20 unlawful use or consumption of cannabis listed in the Cannabis
21 Control Act, a controlled substance listed in the Illinois
22 Controlled Substances Act, or an intoxicating compound listed
23 in the Use of Intoxicating Compounds Act, or methamphetamine as
24 listed in the Methamphetamine Control and Community Protection
25 Act and was subsequently found not guilty of violating Section
26 11-501, or a similar provision of a local ordinance.

1 (Source: P.A. 95-355, eff. 1-1-08; 96-607, eff. 8-24-09;
2 96-1344, eff. 7-1-11.)

3 (625 ILCS 5/11-500.1)

4 Sec. 11-500.1. Immunity.

5 (a) A person authorized under this Article to withdraw
6 blood or collect saliva or urine shall not be civilly liable
7 for damages when the person, in good faith, withdraws blood or
8 collects saliva or urine for evidentiary purposes under this
9 Code, upon the request of a law enforcement officer, unless the
10 act is performed in a willful and wanton manner.

11 (b) As used in this Section, "willful and wanton manner"
12 means a course of action that shows an actual or deliberate
13 intention to cause harm or which, if not intentional, shows an
14 utter indifference to or conscious disregard for the health or
15 safety of another.

16 (Source: P.A. 89-689, eff. 12-31-96.)

17 (625 ILCS 5/11-501) (from Ch. 95 1/2, par. 11-501)

18 Sec. 11-501. Driving while under the influence of alcohol,
19 other drug or drugs, intoxicating compound or compounds or any
20 combination thereof.

21 (a) A person shall not drive or be in actual physical
22 control of any vehicle within this State while:

23 (1) the alcohol concentration in the person's blood,
24 saliva, or breath is 0.08 or more based on the definition

1 of blood and breath units in Section 11-501.2;

2 (2) under the influence of alcohol;

3 (3) under the influence of any intoxicating compound or
4 combination of intoxicating compounds to a degree that
5 renders the person incapable of driving safely;

6 (4) under the influence of any other drug or
7 combination of drugs to a degree that renders the person
8 incapable of safely driving;

9 (5) under the combined influence of alcohol, other drug
10 or drugs, or intoxicating compound or compounds to a degree
11 that renders the person incapable of safely driving; or

12 (6) there is any amount of a drug, substance, or
13 compound in the person's breath, blood, saliva, or urine
14 resulting from the unlawful use or consumption of cannabis
15 listed in the Cannabis Control Act, a controlled substance
16 listed in the Illinois Controlled Substances Act, an
17 intoxicating compound listed in the Use of Intoxicating
18 Compounds Act, or methamphetamine as listed in the
19 Methamphetamine Control and Community Protection Act.
20 Subject to all other requirements and provisions under this
21 Section, this paragraph (6) does not apply to the lawful
22 consumption of cannabis by a qualifying patient licensed
23 under the Compassionate Use of Medical Cannabis Pilot
24 Program Act who is in possession of a valid registry card
25 issued under that Act, unless that person is impaired by
26 the use of cannabis.

1 (b) The fact that any person charged with violating this
2 Section is or has been legally entitled to use alcohol,
3 cannabis under the Compassionate Use of Medical Cannabis Pilot
4 Program Act, other drug or drugs, or intoxicating compound or
5 compounds, or any combination thereof, shall not constitute a
6 defense against any charge of violating this Section.

7 (c) Penalties.

8 (1) Except as otherwise provided in this Section, any
9 person convicted of violating subsection (a) of this
10 Section is guilty of a Class A misdemeanor.

11 (2) A person who violates subsection (a) or a similar
12 provision a second time shall be sentenced to a mandatory
13 minimum term of either 5 days of imprisonment or 240 hours
14 of community service in addition to any other criminal or
15 administrative sanction.

16 (3) A person who violates subsection (a) is subject to
17 6 months of imprisonment, an additional mandatory minimum
18 fine of \$1,000, and 25 days of community service in a
19 program benefiting children if the person was transporting
20 a person under the age of 16 at the time of the violation.

21 (4) A person who violates subsection (a) a first time,
22 if the alcohol concentration in his or her blood, breath,
23 saliva, or urine was 0.16 or more based on the definition
24 of blood, breath, saliva, or urine units in Section
25 11-501.2, shall be subject, in addition to any other
26 penalty that may be imposed, to a mandatory minimum of 100

1 hours of community service and a mandatory minimum fine of
2 \$500.

3 (5) A person who violates subsection (a) a second time,
4 if at the time of the second violation the alcohol
5 concentration in his or her blood, breath, saliva, or urine
6 was 0.16 or more based on the definition of blood, breath,
7 saliva, or urine units in Section 11-501.2, shall be
8 subject, in addition to any other penalty that may be
9 imposed, to a mandatory minimum of 2 days of imprisonment
10 and a mandatory minimum fine of \$1,250.

11 (d) Aggravated driving under the influence of alcohol,
12 other drug or drugs, or intoxicating compound or compounds, or
13 any combination thereof.

14 (1) Every person convicted of committing a violation of
15 this Section shall be guilty of aggravated driving under
16 the influence of alcohol, other drug or drugs, or
17 intoxicating compound or compounds, or any combination
18 thereof if:

19 (A) the person committed a violation of subsection
20 (a) or a similar provision for the third or subsequent
21 time;

22 (B) the person committed a violation of subsection
23 (a) while driving a school bus with one or more
24 passengers on board;

25 (C) the person in committing a violation of
26 subsection (a) was involved in a motor vehicle accident

1 that resulted in great bodily harm or permanent
2 disability or disfigurement to another, when the
3 violation was a proximate cause of the injuries;

4 (D) the person committed a violation of subsection
5 (a) and has been previously convicted of violating
6 Section 9-3 of the Criminal Code of 1961 or the
7 Criminal Code of 2012 or a similar provision of a law
8 of another state relating to reckless homicide in which
9 the person was determined to have been under the
10 influence of alcohol, other drug or drugs, or
11 intoxicating compound or compounds as an element of the
12 offense or the person has previously been convicted
13 under subparagraph (C) or subparagraph (F) of this
14 paragraph (1);

15 (E) the person, in committing a violation of
16 subsection (a) while driving at any speed in a school
17 speed zone at a time when a speed limit of 20 miles per
18 hour was in effect under subsection (a) of Section
19 11-605 of this Code, was involved in a motor vehicle
20 accident that resulted in bodily harm, other than great
21 bodily harm or permanent disability or disfigurement,
22 to another person, when the violation of subsection (a)
23 was a proximate cause of the bodily harm;

24 (F) the person, in committing a violation of
25 subsection (a), was involved in a motor vehicle,
26 snowmobile, all-terrain vehicle, or watercraft

1 accident that resulted in the death of another person,
2 when the violation of subsection (a) was a proximate
3 cause of the death;

4 (G) the person committed a violation of subsection
5 (a) during a period in which the defendant's driving
6 privileges are revoked or suspended, where the
7 revocation or suspension was for a violation of
8 subsection (a) or a similar provision, Section
9 11-501.1, paragraph (b) of Section 11-401, or for
10 reckless homicide as defined in Section 9-3 of the
11 Criminal Code of 1961 or the Criminal Code of 2012;

12 (H) the person committed the violation while he or
13 she did not possess a driver's license or permit or a
14 restricted driving permit or a judicial driving permit
15 or a monitoring device driving permit;

16 (I) the person committed the violation while he or
17 she knew or should have known that the vehicle he or
18 she was driving was not covered by a liability
19 insurance policy;

20 (J) the person in committing a violation of
21 subsection (a) was involved in a motor vehicle accident
22 that resulted in bodily harm, but not great bodily
23 harm, to the child under the age of 16 being
24 transported by the person, if the violation was the
25 proximate cause of the injury;

26 (K) the person in committing a second violation of

1 subsection (a) or a similar provision was transporting
2 a person under the age of 16; or

3 (L) the person committed a violation of subsection
4 (a) of this Section while transporting one or more
5 passengers in a vehicle for-hire.

6 (2) (A) Except as provided otherwise, a person
7 convicted of aggravated driving under the influence of
8 alcohol, other drug or drugs, or intoxicating compound or
9 compounds, or any combination thereof is guilty of a Class
10 4 felony.

11 (B) A third violation of this Section or a similar
12 provision is a Class 2 felony. If at the time of the third
13 violation the alcohol concentration in his or her blood,
14 breath, saliva, or urine was 0.16 or more based on the
15 definition of blood, breath, saliva, or urine units in
16 Section 11-501.2, a mandatory minimum of 90 days of
17 imprisonment and a mandatory minimum fine of \$2,500 shall
18 be imposed in addition to any other criminal or
19 administrative sanction. If at the time of the third
20 violation, the defendant was transporting a person under
21 the age of 16, a mandatory fine of \$25,000 and 25 days of
22 community service in a program benefiting children shall be
23 imposed in addition to any other criminal or administrative
24 sanction.

25 (C) A fourth violation of this Section or a similar
26 provision is a Class 2 felony, for which a sentence of

1 probation or conditional discharge may not be imposed. If
2 at the time of the violation, the alcohol concentration in
3 the defendant's blood, breath, saliva, or urine was 0.16 or
4 more based on the definition of blood, breath, saliva, or
5 urine units in Section 11-501.2, a mandatory minimum fine
6 of \$5,000 shall be imposed in addition to any other
7 criminal or administrative sanction. If at the time of the
8 fourth violation, the defendant was transporting a person
9 under the age of 16 a mandatory fine of \$25,000 and 25 days
10 of community service in a program benefiting children shall
11 be imposed in addition to any other criminal or
12 administrative sanction.

13 (D) A fifth violation of this Section or a similar
14 provision is a Class 1 felony, for which a sentence of
15 probation or conditional discharge may not be imposed. If
16 at the time of the violation, the alcohol concentration in
17 the defendant's blood, breath, saliva, or urine was 0.16 or
18 more based on the definition of blood, breath, saliva, or
19 urine units in Section 11-501.2, a mandatory minimum fine
20 of \$5,000 shall be imposed in addition to any other
21 criminal or administrative sanction. If at the time of the
22 fifth violation, the defendant was transporting a person
23 under the age of 16, a mandatory fine of \$25,000, and 25
24 days of community service in a program benefiting children
25 shall be imposed in addition to any other criminal or
26 administrative sanction.

1 (E) A sixth or subsequent violation of this Section or
2 similar provision is a Class X felony. If at the time of
3 the violation, the alcohol concentration in the
4 defendant's blood, breath, saliva, or urine was 0.16 or
5 more based on the definition of blood, breath, saliva, or
6 urine units in Section 11-501.2, a mandatory minimum fine
7 of \$5,000 shall be imposed in addition to any other
8 criminal or administrative sanction. If at the time of the
9 violation, the defendant was transporting a person under
10 the age of 16, a mandatory fine of \$25,000 and 25 days of
11 community service in a program benefiting children shall be
12 imposed in addition to any other criminal or administrative
13 sanction.

14 (F) For a violation of subparagraph (C) of paragraph
15 (1) of this subsection (d), the defendant, if sentenced to
16 a term of imprisonment, shall be sentenced to not less than
17 one year nor more than 12 years.

18 (G) A violation of subparagraph (F) of paragraph (1) of
19 this subsection (d) is a Class 2 felony, for which the
20 defendant, unless the court determines that extraordinary
21 circumstances exist and require probation, shall be
22 sentenced to: (i) a term of imprisonment of not less than 3
23 years and not more than 14 years if the violation resulted
24 in the death of one person; or (ii) a term of imprisonment
25 of not less than 6 years and not more than 28 years if the
26 violation resulted in the deaths of 2 or more persons.

1 (H) For a violation of subparagraph (J) of paragraph
2 (1) of this subsection (d), a mandatory fine of \$2,500, and
3 25 days of community service in a program benefiting
4 children shall be imposed in addition to any other criminal
5 or administrative sanction.

6 (I) A violation of subparagraph (K) of paragraph (1) of
7 this subsection (d), is a Class 2 felony and a mandatory
8 fine of \$2,500, and 25 days of community service in a
9 program benefiting children shall be imposed in addition to
10 any other criminal or administrative sanction. If the child
11 being transported suffered bodily harm, but not great
12 bodily harm, in a motor vehicle accident, and the violation
13 was the proximate cause of that injury, a mandatory fine of
14 \$5,000 and 25 days of community service in a program
15 benefiting children shall be imposed in addition to any
16 other criminal or administrative sanction.

17 (J) A violation of subparagraph (D) of paragraph (1) of
18 this subsection (d) is a Class 3 felony, for which a
19 sentence of probation or conditional discharge may not be
20 imposed.

21 (3) Any person sentenced under this subsection (d) who
22 receives a term of probation or conditional discharge must
23 serve a minimum term of either 480 hours of community
24 service or 10 days of imprisonment as a condition of the
25 probation or conditional discharge in addition to any other
26 criminal or administrative sanction.

1 (e) Any reference to a prior violation of subsection (a) or
2 a similar provision includes any violation of a provision of a
3 local ordinance or a provision of a law of another state or an
4 offense committed on a military installation that is similar to
5 a violation of subsection (a) of this Section.

6 (f) The imposition of a mandatory term of imprisonment or
7 assignment of community service for a violation of this Section
8 shall not be suspended or reduced by the court.

9 (g) Any penalty imposed for driving with a license that has
10 been revoked for a previous violation of subsection (a) of this
11 Section shall be in addition to the penalty imposed for any
12 subsequent violation of subsection (a).

13 (h) For any prosecution under this Section, a certified
14 copy of the driving abstract of the defendant shall be admitted
15 as proof of any prior conviction.

16 (Source: P.A. 97-1150, eff. 1-25-13; 98-122, eff. 1-1-14;
17 98-573, eff. 8-27-13; 98-756, eff. 7-16-14.)

18 (625 ILCS 5/11-501.1)

19 Sec. 11-501.1. Suspension of drivers license; statutory
20 summary alcohol, other drug or drugs, or intoxicating compound
21 or compounds related suspension or revocation; implied
22 consent.

23 (a) Any person who drives or is in actual physical control
24 of a motor vehicle upon the public highways of this State shall
25 be deemed to have given consent, subject to the provisions of

1 Section 11-501.2, to a chemical test or tests of blood, breath,
2 saliva, or urine for the purpose of determining the content of
3 alcohol, other drug or drugs, or intoxicating compound or
4 compounds or any combination thereof in the person's blood if
5 arrested, as evidenced by the issuance of a Uniform Traffic
6 Ticket, for any offense as defined in Section 11-501 or a
7 similar provision of a local ordinance, or if arrested for
8 violating Section 11-401. If a law enforcement officer has
9 probable cause to believe the person was under the influence of
10 alcohol, other drug or drugs, intoxicating compound or
11 compounds, or any combination thereof, the law enforcement
12 officer shall request a chemical test or tests which shall be
13 administered at the direction of the arresting officer. The law
14 enforcement agency employing the officer shall designate which
15 of the aforesaid tests shall be administered. A saliva or urine
16 test may be administered even after a blood or breath test or
17 both has been administered. For purposes of this Section, an
18 Illinois law enforcement officer of this State who is
19 investigating the person for any offense defined in Section
20 11-501 may travel into an adjoining state, where the person has
21 been transported for medical care, to complete an investigation
22 and to request that the person submit to the test or tests set
23 forth in this Section. The requirements of this Section that
24 the person be arrested are inapplicable, but the officer shall
25 issue the person a Uniform Traffic Ticket for an offense as
26 defined in Section 11-501 or a similar provision of a local

1 ordinance prior to requesting that the person submit to the
2 test or tests. The issuance of the Uniform Traffic Ticket shall
3 not constitute an arrest, but shall be for the purpose of
4 notifying the person that he or she is subject to the
5 provisions of this Section and of the officer's belief of the
6 existence of probable cause to arrest. Upon returning to this
7 State, the officer shall file the Uniform Traffic Ticket with
8 the Circuit Clerk of the county where the offense was
9 committed, and shall seek the issuance of an arrest warrant or
10 a summons for the person.

11 (a-5) In addition to the requirements and provisions of
12 subsection (a), any person issued a registry card under the
13 Compassionate Use of Medical Cannabis Pilot Program Act who
14 drives or is in actual physical control of a motor vehicle upon
15 the public highways of this State shall be deemed to have given
16 consent, subject to the provisions of Section 11-501.2, to
17 standardized field sobriety tests approved by the National
18 Highway Traffic Safety Administration if arrested, as
19 evidenced by the issuance of a Uniform Traffic Ticket, for any
20 offense as defined in Section 11-501 or a similar provision of
21 a local ordinance, or if arrested for violating Section 11-401.
22 The person's status as a registry card holder alone is not a
23 sufficient basis for conducting these tests. The officer must
24 have an independent, cannabis-related factual basis giving
25 reasonable suspicion that the person is driving under the
26 influence of cannabis for conducting standardized field

1 sobriety tests. This independent basis of suspicion shall be
2 listed on the standardized field sobriety test results and any
3 influence reports made by the arresting officer.

4 (b) Any person who is dead, unconscious, or who is
5 otherwise in a condition rendering the person incapable of
6 refusal, shall be deemed not to have withdrawn the consent
7 provided by paragraph (a) of this Section and the test or tests
8 may be administered, subject to the provisions of Section
9 11-501.2.

10 (c) A person requested to submit to a test as provided
11 above shall be warned by the law enforcement officer requesting
12 the test that a refusal to submit to the test will result in
13 the statutory summary suspension of the person's privilege to
14 operate a motor vehicle, as provided in Section 6-208.1 of this
15 Code, and will also result in the disqualification of the
16 person's privilege to operate a commercial motor vehicle, as
17 provided in Section 6-514 of this Code, if the person is a CDL
18 holder. The person shall also be warned that a refusal to
19 submit to the test, when the person was involved in a motor
20 vehicle accident that caused personal injury or death to
21 another, will result in the statutory summary revocation of the
22 person's privilege to operate a motor vehicle, as provided in
23 Section 6-208.1, and will also result in the disqualification
24 of the person's privilege to operate a commercial motor
25 vehicle, as provided in Section 6-514 of this Code, if the
26 person is a CDL holder. The person shall also be warned by the

1 law enforcement officer that if the person submits to the test
2 or tests provided in paragraph (a) of this Section and the
3 alcohol concentration in the person's blood, saliva, or breath
4 is 0.08 or greater, or any amount of a drug, substance, or
5 compound resulting from the unlawful use or consumption of
6 cannabis as covered by the Cannabis Control Act, a controlled
7 substance listed in the Illinois Controlled Substances Act, an
8 intoxicating compound listed in the Use of Intoxicating
9 Compounds Act, or methamphetamine as listed in the
10 Methamphetamine Control and Community Protection Act is
11 detected in the person's blood, saliva, or urine, or if the
12 person fails the standardized field sobriety tests as required
13 by paragraph (a-5), a statutory summary suspension of the
14 person's privilege to operate a motor vehicle, as provided in
15 Sections 6-208.1 and 11-501.1 of this Code, and a
16 disqualification of the person's privilege to operate a
17 commercial motor vehicle, as provided in Section 6-514 of this
18 Code, if the person is a CDL holder, will be imposed.

19 A person who is under the age of 21 at the time the person
20 is requested to submit to a test as provided above shall, in
21 addition to the warnings provided for in this Section, be
22 further warned by the law enforcement officer requesting the
23 test that if the person submits to the test or tests provided
24 in paragraph (a) or (a-5) of this Section and the alcohol
25 concentration in the person's blood, saliva, or breath is
26 greater than 0.00 and less than 0.08, a suspension of the

1 person's privilege to operate a motor vehicle, as provided
2 under Sections 6-208.2 and 11-501.8 of this Code, will be
3 imposed. The results of this test shall be admissible in a
4 civil or criminal action or proceeding arising from an arrest
5 for an offense as defined in Section 11-501 of this Code or a
6 similar provision of a local ordinance or pursuant to Section
7 11-501.4 in prosecutions for reckless homicide brought under
8 the Criminal Code of 1961 or the Criminal Code of 2012. These
9 test results, however, shall be admissible only in actions or
10 proceedings directly related to the incident upon which the
11 test request was made.

12 (d) If the person refuses testing or submits to a test that
13 discloses an alcohol concentration of 0.08 or more, or any
14 amount of a drug, substance, or intoxicating compound in the
15 person's breath, blood, saliva, or urine resulting from the
16 unlawful use or consumption of cannabis listed in the Cannabis
17 Control Act, a controlled substance listed in the Illinois
18 Controlled Substances Act, an intoxicating compound listed in
19 the Use of Intoxicating Compounds Act, or methamphetamine as
20 listed in the Methamphetamine Control and Community Protection
21 Act, the law enforcement officer shall immediately submit a
22 sworn report to the circuit court of venue and the Secretary of
23 State, certifying that the test or tests was or were requested
24 under paragraph (a) or (a-5) and the person refused to submit
25 to a test, or tests, or submitted to testing that disclosed an
26 alcohol concentration of 0.08 or more. A sworn report

1 indicating refusal or failure of testing under paragraph (a-5)
2 of this Section shall include the factual basis of the
3 arresting officer's reasonable suspicion that the person was
4 under the influence of cannabis. The person's possession of a
5 valid registry card under the Compassionate Use of Medical
6 Cannabis Pilot Program Act alone is not sufficient basis for
7 reasonable suspicion.

8 (e) Upon receipt of the sworn report of a law enforcement
9 officer submitted under paragraph (d), the Secretary of State
10 shall enter the statutory summary suspension or revocation and
11 disqualification for the periods specified in Sections 6-208.1
12 and 6-514, respectively, and effective as provided in paragraph
13 (g).

14 If the person is a first offender as defined in Section
15 11-500 of this Code, and is not convicted of a violation of
16 Section 11-501 of this Code or a similar provision of a local
17 ordinance, then reports received by the Secretary of State
18 under this Section shall, except during the actual time the
19 Statutory Summary Suspension is in effect, be privileged
20 information and for use only by the courts, police officers,
21 prosecuting authorities or the Secretary of State, unless the
22 person is a CDL holder, is operating a commercial motor vehicle
23 or vehicle required to be placarded for hazardous materials, in
24 which case the suspension shall not be privileged. Reports
25 received by the Secretary of State under this Section shall
26 also be made available to the parent or guardian of a person

1 under the age of 18 years that holds an instruction permit or a
2 graduated driver's license, regardless of whether the
3 statutory summary suspension is in effect. A statutory summary
4 revocation shall not be privileged information.

5 (f) The law enforcement officer submitting the sworn report
6 under paragraph (d) shall serve immediate notice of the
7 statutory summary suspension or revocation on the person and
8 the suspension or revocation and disqualification shall be
9 effective as provided in paragraph (g).

10 (1) In cases where the blood alcohol concentration of
11 0.08 or greater or any amount of a drug, substance, or
12 compound resulting from the unlawful use or consumption of
13 cannabis as covered by the Cannabis Control Act, a
14 controlled substance listed in the Illinois Controlled
15 Substances Act, an intoxicating compound listed in the Use
16 of Intoxicating Compounds Act, or methamphetamine as
17 listed in the Methamphetamine Control and Community
18 Protection Act is established by a subsequent analysis of
19 blood, saliva, or urine collected at the time of arrest,
20 the arresting officer or arresting agency shall give notice
21 as provided in this Section or by deposit in the United
22 States mail of the notice in an envelope with postage
23 prepaid and addressed to the person at his address as shown
24 on the Uniform Traffic Ticket and the statutory summary
25 suspension and disqualification shall begin as provided in
26 paragraph (g). The officer shall confiscate any Illinois

1 driver's license or permit on the person at the time of
2 arrest. If the person has a valid driver's license or
3 permit, the officer shall issue the person a receipt, in a
4 form prescribed by the Secretary of State, that will allow
5 that person to drive during the periods provided for in
6 paragraph (g). The officer shall immediately forward the
7 driver's license or permit to the circuit court of venue
8 along with the sworn report provided for in paragraph (d).

9 (2) In cases indicating refusal or failure of testing
10 under paragraph (a-5) of this Section the arresting officer
11 or arresting agency shall give notice as provided in this
12 Section or by deposit in the United States mail of the
13 notice in an envelope with postage prepaid and addressed to
14 the person at his or her address as shown on the Uniform
15 Traffic Ticket and the statutory summary suspension and
16 disqualification shall begin as provided in paragraph (g).
17 This notice shall include the factual basis of the
18 arresting officer's reasonable suspicion that the person
19 was under the influence of cannabis. The person's
20 possession of a valid registry card under the Compassionate
21 Use of Medical Cannabis Pilot Program Act alone is not
22 sufficient basis for reasonable suspicion.

23 (g) The statutory summary suspension or revocation and
24 disqualification referred to in this Section shall take effect
25 on the 46th day following the date the notice of the statutory
26 summary suspension or revocation was given to the person.

1 (h) The following procedure shall apply whenever a person
2 is arrested for any offense as defined in Section 11-501 or a
3 similar provision of a local ordinance:

4 Upon receipt of the sworn report from the law enforcement
5 officer, the Secretary of State shall confirm the statutory
6 summary suspension or revocation by mailing a notice of the
7 effective date of the suspension or revocation to the person
8 and the court of venue. The Secretary of State shall also mail
9 notice of the effective date of the disqualification to the
10 person. However, should the sworn report be defective by not
11 containing sufficient information or be completed in error, the
12 confirmation of the statutory summary suspension or revocation
13 shall not be mailed to the person or entered to the record;
14 instead, the sworn report shall be forwarded to the court of
15 venue with a copy returned to the issuing agency identifying
16 any defect.

17 (i) As used in this Section, "personal injury" includes any
18 Type A injury as indicated on the traffic accident report
19 completed by a law enforcement officer that requires immediate
20 professional attention in either a doctor's office or a medical
21 facility. A Type A injury includes severely bleeding wounds,
22 distorted extremities, and injuries that require the injured
23 party to be carried from the scene.

24 (Source: P.A. 97-333, eff. 8-12-11; 97-471, eff. 8-22-11;
25 97-1150, eff. 1-25-13; 98-122, eff. 1-1-14.)

1 (625 ILCS 5/11-501.2) (from Ch. 95 1/2, par. 11-501.2)

2 Sec. 11-501.2. Chemical and other tests.

3 (a) Upon the trial of any civil or criminal action or
4 proceeding arising out of an arrest for an offense as defined
5 in Section 11-501 or a similar local ordinance or proceedings
6 pursuant to Section 2-118.1, evidence of the concentration of
7 alcohol, other drug or drugs, or intoxicating compound or
8 compounds, or any combination thereof in a person's blood or
9 breath at the time alleged, as determined by analysis of the
10 person's blood, urine, breath, saliva, or other bodily
11 substance, shall be admissible. Where such test is made the
12 following provisions shall apply:

13 1. Chemical analyses of the person's blood, urine,
14 breath, saliva, or other bodily substance to be considered
15 valid under the provisions of this Section shall have been
16 performed according to standards promulgated by the
17 Department of State Police by a licensed physician,
18 registered nurse, trained phlebotomist, licensed
19 paramedic, or other individual possessing a valid permit
20 issued by that Department for this purpose. The Director of
21 State Police is authorized to approve satisfactory
22 techniques or methods, to ascertain the qualifications and
23 competence of individuals to conduct such analyses, to
24 issue permits which shall be subject to termination or
25 revocation at the discretion of that Department and to
26 certify the accuracy of breath testing equipment. The

1 Department of State Police shall prescribe regulations as
2 necessary to implement this Section.

3 2. When a person in this State shall submit to a blood
4 test at the request of a law enforcement officer under the
5 provisions of Section 11-501.1, only a physician
6 authorized to practice medicine, a licensed physician
7 assistant, a licensed advanced practice nurse, a
8 registered nurse, trained phlebotomist, or licensed
9 paramedic, or other qualified person approved by the
10 Department of State Police may withdraw blood for the
11 purpose of determining the alcohol, drug, or alcohol and
12 drug content therein. This limitation shall not apply to
13 the taking of breath, saliva, or urine specimens.

14 When a blood test of a person who has been taken to an
15 adjoining state for medical treatment is requested by an
16 Illinois law enforcement officer, the blood may be
17 withdrawn only by a physician authorized to practice
18 medicine in the adjoining state, a licensed physician
19 assistant, a licensed advanced practice nurse, a
20 registered nurse, a trained phlebotomist acting under the
21 direction of the physician, or licensed paramedic. The law
22 enforcement officer requesting the test shall take custody
23 of the blood sample, and the blood sample shall be analyzed
24 by a laboratory certified by the Department of State Police
25 for that purpose.

26 3. The person tested may have a physician, or a

1 qualified technician, chemist, registered nurse, or other
2 qualified person of their own choosing administer a
3 chemical test or tests in addition to any administered at
4 the direction of a law enforcement officer. The failure or
5 inability to obtain an additional test by a person shall
6 not preclude the admission of evidence relating to the test
7 or tests taken at the direction of a law enforcement
8 officer.

9 4. Upon the request of the person who shall submit to a
10 chemical test or tests at the request of a law enforcement
11 officer, full information concerning the test or tests
12 shall be made available to the person or such person's
13 attorney.

14 5. Alcohol concentration shall mean either grams of
15 alcohol per 100 milliliters of blood or grams of alcohol
16 per 210 liters of breath.

17 (a-5) Law enforcement officials may use standardized field
18 sobriety tests approved by the National Highway Traffic Safety
19 Administration when conducting investigations of a violation
20 of Section 11-501 or similar local ordinance by drivers
21 suspected of driving under the influence of cannabis. The
22 General Assembly finds that standardized field sobriety tests
23 approved by the National Highway Traffic Safety Administration
24 are divided attention tasks that are intended to determine if a
25 person is under the influence of cannabis. The purpose of these
26 tests is to determine the effect of the use of cannabis on a

1 person's capacity to think and act with ordinary care and
2 therefore operate a motor vehicle safely. Therefore, the
3 results of these standardized field sobriety tests,
4 appropriately administered, shall be admissible in the trial of
5 any civil or criminal action or proceeding arising out of an
6 arrest for a cannabis-related offense as defined in Section
7 11-501 or a similar local ordinance or proceedings under
8 Section 2-118.1. Where a test is made the following provisions
9 shall apply:

10 1. The person tested may have a physician, or a
11 qualified technician, chemist, registered nurse, or other
12 qualified person of their own choosing administer a
13 chemical test or tests in addition to the standardized
14 field sobriety test or tests administered at the direction
15 of a law enforcement officer. The failure or inability to
16 obtain an additional test by a person does not preclude the
17 admission of evidence relating to the test or tests taken
18 at the direction of a law enforcement officer.

19 2. Upon the request of the person who shall submit to a
20 standardized field sobriety test or tests at the request of
21 a law enforcement officer, full information concerning the
22 test or tests shall be made available to the person or the
23 person's attorney.

24 3. At the trial of any civil or criminal action or
25 proceeding arising out of an arrest for an offense as
26 defined in Section 11-501 or a similar local ordinance or

1 proceedings under Section 2-118.1 in which the results of
2 these standardized field sobriety tests are admitted, the
3 cardholder may present and the trier of fact may consider
4 evidence that the card holder lacked the physical capacity
5 to perform the standardized field sobriety tests.

6 (b) Upon the trial of any civil or criminal action or
7 proceeding arising out of acts alleged to have been committed
8 by any person while driving or in actual physical control of a
9 vehicle while under the influence of alcohol, the concentration
10 of alcohol in the person's blood or breath at the time alleged
11 as shown by analysis of the person's blood, urine, breath,
12 saliva, or other bodily substance shall give rise to the
13 following presumptions:

14 1. If there was at that time an alcohol concentration
15 of 0.05 or less, it shall be presumed that the person was
16 not under the influence of alcohol.

17 2. If there was at that time an alcohol concentration
18 in excess of 0.05 but less than 0.08, such facts shall not
19 give rise to any presumption that the person was or was not
20 under the influence of alcohol, but such fact may be
21 considered with other competent evidence in determining
22 whether the person was under the influence of alcohol.

23 3. If there was at that time an alcohol concentration
24 of 0.08 or more, it shall be presumed that the person was
25 under the influence of alcohol.

26 4. The foregoing provisions of this Section shall not

1 be construed as limiting the introduction of any other
2 relevant evidence bearing upon the question whether the
3 person was under the influence of alcohol.

4 (c) 1. If a person under arrest refuses to submit to a
5 chemical test under the provisions of Section 11-501.1,
6 evidence of refusal shall be admissible in any civil or
7 criminal action or proceeding arising out of acts alleged to
8 have been committed while the person under the influence of
9 alcohol, other drug or drugs, or intoxicating compound or
10 compounds, or any combination thereof was driving or in actual
11 physical control of a motor vehicle.

12 2. Notwithstanding any ability to refuse under this Code to
13 submit to these tests or any ability to revoke the implied
14 consent to these tests, if a law enforcement officer has
15 probable cause to believe that a motor vehicle driven by or in
16 actual physical control of a person under the influence of
17 alcohol, other drug or drugs, or intoxicating compound or
18 compounds, or any combination thereof has caused the death or
19 personal injury to another, the law enforcement officer shall
20 request, and that person shall submit, upon the request of a
21 law enforcement officer, to a chemical test or tests of his or
22 her blood, breath, saliva, or urine for the purpose of
23 determining the alcohol content thereof or the presence of any
24 other drug or combination of both.

25 This provision does not affect the applicability of or
26 imposition of driver's license sanctions under Section

1 11-501.1 of this Code.

2 3. For purposes of this Section, a personal injury includes
3 any Type A injury as indicated on the traffic accident report
4 completed by a law enforcement officer that requires immediate
5 professional attention in either a doctor's office or a medical
6 facility. A Type A injury includes severe bleeding wounds,
7 distorted extremities, and injuries that require the injured
8 party to be carried from the scene.

9 (Source: P.A. 97-450, eff. 8-19-11; 97-471, eff. 8-22-11;
10 97-813, eff. 7-13-12; 98-122, eff. 1-1-14; 98-973, eff.
11 8-15-14.)

12 (625 ILCS 5/11-501.4) (from Ch. 95 1/2, par. 11-501.4)

13 Sec. 11-501.4. Admissibility of chemical tests of blood,
14 saliva, or urine conducted in the regular course of providing
15 emergency medical treatment.

16 (a) Notwithstanding any other provision of law, the results
17 of blood, saliva, or urine tests performed for the purpose of
18 determining the content of alcohol, other drug or drugs, or
19 intoxicating compound or compounds, or any combination
20 thereof, of an individual's blood, saliva, or urine conducted
21 upon persons receiving medical treatment in a hospital
22 emergency room are admissible in evidence as a business record
23 exception to the hearsay rule only in prosecutions for any
24 violation of Section 11-501 of this Code or a similar provision
25 of a local ordinance, or in prosecutions for reckless homicide

1 brought under the Criminal Code of 1961 or the Criminal Code of
2 2012, when each of the following criteria are met:

3 (1) the chemical tests performed upon an individual's
4 blood, saliva, or urine were ordered in the regular course
5 of providing emergency medical treatment and not at the
6 request of law enforcement authorities;

7 (2) the chemical tests performed upon an individual's
8 blood, saliva, or urine were performed by the laboratory
9 routinely used by the hospital; and

10 (3) results of chemical tests performed upon an
11 individual's blood, saliva, or urine are admissible into
12 evidence regardless of the time that the records were
13 prepared.

14 (b) The confidentiality provisions of law pertaining to
15 medical records and medical treatment shall not be applicable
16 with regard to chemical tests performed upon an individual's
17 blood, saliva, or urine under the provisions of this Section in
18 prosecutions as specified in subsection (a) of this Section. No
19 person shall be liable for civil damages as a result of the
20 evidentiary use of chemical testing of an individual's blood, saliva,
21 saliva, or urine test results under this Section, or as a
22 result of that person's testimony made available under this
23 Section.

24 (Source: P.A. 96-289, eff. 8-11-09; 97-1150, eff. 1-25-13.)

1 Sec. 11-501.4-1. Reporting of test results of blood,
2 saliva, or urine conducted in the regular course of providing
3 emergency medical treatment.

4 (a) Notwithstanding any other provision of law, the results
5 of blood, saliva, or urine tests performed for the purpose of
6 determining the content of alcohol, other drug or drugs, or
7 intoxicating compound or compounds, or any combination
8 thereof, in an individual's blood, saliva, or urine conducted
9 upon persons receiving medical treatment in a hospital
10 emergency room for injuries resulting from a motor vehicle
11 accident shall be disclosed to the Department of State Police
12 or local law enforcement agencies of jurisdiction, upon
13 request. Such blood, saliva, or urine tests are admissible in
14 evidence as a business record exception to the hearsay rule
15 only in prosecutions for any violation of Section 11-501 of
16 this Code or a similar provision of a local ordinance, or in
17 prosecutions for reckless homicide brought under the Criminal
18 Code of 1961 or the Criminal Code of 2012.

19 (b) The confidentiality provisions of law pertaining to
20 medical records and medical treatment shall not be applicable
21 with regard to tests performed upon an individual's blood,
22 saliva, or urine under the provisions of subsection (a) of this
23 Section. No person shall be liable for civil damages or
24 professional discipline as a result of the disclosure or
25 reporting of the tests or the evidentiary use of an
26 individual's blood, saliva, or urine test results under this

1 Section or Section 11-501.4 or as a result of that person's
2 testimony made available under this Section or Section
3 11-501.4, except for willful or wanton misconduct.

4 (Source: P.A. 97-1150, eff. 1-25-13.)

5 (625 ILCS 5/11-501.6) (from Ch. 95 1/2, par. 11-501.6)

6 Sec. 11-501.6. Driver involvement in personal injury or
7 fatal motor vehicle accident; chemical test.

8 (a) Any person who drives or is in actual control of a
9 motor vehicle upon the public highways of this State and who
10 has been involved in a personal injury or fatal motor vehicle
11 accident, shall be deemed to have given consent to a breath
12 test using a portable device as approved by the Department of
13 State Police or to a chemical test or tests of blood, breath,
14 saliva, or urine for the purpose of determining the content of
15 alcohol, other drug or drugs, or intoxicating compound or
16 compounds of such person's blood if arrested as evidenced by
17 the issuance of a Uniform Traffic Ticket for any violation of
18 the Illinois Vehicle Code or a similar provision of a local
19 ordinance, with the exception of equipment violations
20 contained in Chapter 12 of this Code, or similar provisions of
21 local ordinances. The test or tests shall be administered at
22 the direction of the arresting officer. The law enforcement
23 agency employing the officer shall designate which of the
24 aforesaid tests shall be administered. A saliva or urine test
25 may be administered even after a blood or breath test or both

1 has been administered. Compliance with this Section does not
2 relieve such person from the requirements of Section 11-501.1
3 of this Code.

4 (b) Any person who is dead, unconscious or who is otherwise
5 in a condition rendering such person incapable of refusal shall
6 be deemed not to have withdrawn the consent provided by
7 subsection (a) of this Section. In addition, if a driver of a
8 vehicle is receiving medical treatment as a result of a motor
9 vehicle accident, any physician licensed to practice medicine,
10 licensed physician assistant, licensed advanced practice
11 nurse, registered nurse or a phlebotomist acting under the
12 direction of a licensed physician shall withdraw blood for
13 testing purposes to ascertain the presence of alcohol, other
14 drug or drugs, or intoxicating compound or compounds, upon the
15 specific request of a law enforcement officer. However, no such
16 testing shall be performed until, in the opinion of the medical
17 personnel on scene, the withdrawal can be made without
18 interfering with or endangering the well-being of the patient.

19 (c) A person requested to submit to a test as provided
20 above shall be warned by the law enforcement officer requesting
21 the test that a refusal to submit to the test, or submission to
22 the test resulting in an alcohol concentration of 0.08 or more,
23 or any amount of a drug, substance, or intoxicating compound
24 resulting from the unlawful use or consumption of cannabis, as
25 covered by the Cannabis Control Act, a controlled substance
26 listed in the Illinois Controlled Substances Act, an

1 intoxicating compound listed in the Use of Intoxicating
2 Compounds Act, or methamphetamine as listed in the
3 Methamphetamine Control and Community Protection Act as
4 detected in such person's blood, saliva, or urine, may result
5 in the suspension of such person's privilege to operate a motor
6 vehicle and may result in the disqualification of the person's
7 privilege to operate a commercial motor vehicle, as provided in
8 Section 6-514 of this Code, if the person is a CDL holder. The
9 length of the suspension shall be the same as outlined in
10 Section 6-208.1 of this Code regarding statutory summary
11 suspensions.

12 (d) If the person refuses testing or submits to a test
13 which discloses an alcohol concentration of 0.08 or more, or
14 any amount of a drug, substance, or intoxicating compound in
15 such person's blood, saliva, or urine resulting from the
16 unlawful use or consumption of cannabis listed in the Cannabis
17 Control Act, a controlled substance listed in the Illinois
18 Controlled Substances Act, an intoxicating compound listed in
19 the Use of Intoxicating Compounds Act, or methamphetamine as
20 listed in the Methamphetamine Control and Community Protection
21 Act, the law enforcement officer shall immediately submit a
22 sworn report to the Secretary of State on a form prescribed by
23 the Secretary, certifying that the test or tests were requested
24 pursuant to subsection (a) and the person refused to submit to
25 a test or tests or submitted to testing which disclosed an
26 alcohol concentration of 0.08 or more, or any amount of a drug,

1 substance, or intoxicating compound in such person's blood,
2 saliva, or urine, resulting from the unlawful use or
3 consumption of cannabis listed in the Cannabis Control Act, a
4 controlled substance listed in the Illinois Controlled
5 Substances Act, an intoxicating compound listed in the Use of
6 Intoxicating Compounds Act, or methamphetamine as listed in the
7 Methamphetamine Control and Community Protection Act.

8 Upon receipt of the sworn report of a law enforcement
9 officer, the Secretary shall enter the suspension and
10 disqualification to the individual's driving record and the
11 suspension and disqualification shall be effective on the 46th
12 day following the date notice of the suspension was given to
13 the person.

14 The law enforcement officer submitting the sworn report
15 shall serve immediate notice of this suspension on the person
16 and such suspension and disqualification shall be effective on
17 the 46th day following the date notice was given.

18 In cases where the blood alcohol concentration of 0.08 or
19 more, or any amount of a drug, substance, or intoxicating
20 compound resulting from the unlawful use or consumption of
21 cannabis as listed in the Cannabis Control Act, a controlled
22 substance listed in the Illinois Controlled Substances Act, an
23 intoxicating compound listed in the Use of Intoxicating
24 Compounds Act, or methamphetamine as listed in the
25 Methamphetamine Control and Community Protection Act, is
26 established by a subsequent analysis of blood, saliva, or urine

1 collected at the time of arrest, the arresting officer shall
2 give notice as provided in this Section or by deposit in the
3 United States mail of such notice in an envelope with postage
4 prepaid and addressed to such person at his address as shown on
5 the Uniform Traffic Ticket and the suspension and
6 disqualification shall be effective on the 46th day following
7 the date notice was given.

8 Upon receipt of the sworn report of a law enforcement
9 officer, the Secretary shall also give notice of the suspension
10 and disqualification to the driver by mailing a notice of the
11 effective date of the suspension and disqualification to the
12 individual. However, should the sworn report be defective by
13 not containing sufficient information or be completed in error,
14 the notice of the suspension and disqualification shall not be
15 mailed to the person or entered to the driving record, but
16 rather the sworn report shall be returned to the issuing law
17 enforcement agency.

18 (e) A driver may contest this suspension of his or her
19 driving privileges and disqualification of his or her CDL
20 privileges by requesting an administrative hearing with the
21 Secretary in accordance with Section 2-118 of this Code. At the
22 conclusion of a hearing held under Section 2-118 of this Code,
23 the Secretary may rescind, continue, or modify the orders of
24 suspension and disqualification. If the Secretary does not
25 rescind the orders of suspension and disqualification, a
26 restricted driving permit may be granted by the Secretary upon

1 application being made and good cause shown. A restricted
2 driving permit may be granted to relieve undue hardship to
3 allow driving for employment, educational, and medical
4 purposes as outlined in Section 6-206 of this Code. The
5 provisions of Section 6-206 of this Code shall apply. In
6 accordance with 49 C.F.R. 384, the Secretary of State may not
7 issue a restricted driving permit for the operation of a
8 commercial motor vehicle to a person holding a CDL whose
9 driving privileges have been suspended, revoked, cancelled, or
10 disqualified.

11 (f) (Blank).

12 (g) For the purposes of this Section, a personal injury
13 shall include any type A injury as indicated on the traffic
14 accident report completed by a law enforcement officer that
15 requires immediate professional attention in either a doctor's
16 office or a medical facility. A type A injury shall include
17 severely bleeding wounds, distorted extremities, and injuries
18 that require the injured party to be carried from the scene.

19 (Source: P.A. 96-1344, eff. 7-1-11; 97-450, eff. 8-19-11;
20 97-835, eff. 7-20-12.)

21 (625 ILCS 5/11-501.8)

22 Sec. 11-501.8. Suspension of driver's license; persons
23 under age 21.

24 (a) A person who is less than 21 years of age and who
25 drives or is in actual physical control of a motor vehicle upon

1 the public highways of this State shall be deemed to have given
2 consent to a chemical test or tests of blood, breath, saliva,
3 or urine for the purpose of determining the alcohol content of
4 the person's blood if arrested, as evidenced by the issuance of
5 a Uniform Traffic Ticket for any violation of the Illinois
6 Vehicle Code or a similar provision of a local ordinance, if a
7 police officer has probable cause to believe that the driver
8 has consumed any amount of an alcoholic beverage based upon
9 evidence of the driver's physical condition or other first hand
10 knowledge of the police officer. The test or tests shall be
11 administered at the direction of the arresting officer. The law
12 enforcement agency employing the officer shall designate which
13 of the aforesaid tests shall be administered. A saliva or urine
14 test may be administered even after a blood or breath test or
15 both has been administered.

16 (b) A person who is dead, unconscious, or who is otherwise
17 in a condition rendering that person incapable of refusal,
18 shall be deemed not to have withdrawn the consent provided by
19 paragraph (a) of this Section and the test or tests may be
20 administered subject to the following provisions:

21 (i) Chemical analysis of the person's blood, urine,
22 breath, saliva, or other bodily substance, to be considered
23 valid under the provisions of this Section, shall have been
24 performed according to standards promulgated by the
25 Department of State Police by an individual possessing a
26 valid permit issued by that Department for this purpose.

1 The Director of State Police is authorized to approve
2 satisfactory techniques or methods, to ascertain the
3 qualifications and competence of individuals to conduct
4 analyses, to issue permits that shall be subject to
5 termination or revocation at the direction of that
6 Department, and to certify the accuracy of breath testing
7 equipment. The Department of State Police shall prescribe
8 regulations as necessary.

9 (ii) When a person submits to a blood test at the
10 request of a law enforcement officer under the provisions
11 of this Section, only a physician authorized to practice
12 medicine, a licensed physician assistant, a licensed
13 advanced practice nurse, a registered nurse, or other
14 qualified person trained in venipuncture and acting under
15 the direction of a licensed physician may withdraw blood
16 for the purpose of determining the alcohol content therein.
17 This limitation does not apply to the taking of breath,
18 saliva, or urine specimens.

19 (iii) The person tested may have a physician, qualified
20 technician, chemist, registered nurse, or other qualified
21 person of his or her own choosing administer a chemical
22 test or tests in addition to any test or tests administered
23 at the direction of a law enforcement officer. The failure
24 or inability to obtain an additional test by a person shall
25 not preclude the consideration of the previously performed
26 chemical test.

1 (iv) Upon a request of the person who submits to a
2 chemical test or tests at the request of a law enforcement
3 officer, full information concerning the test or tests
4 shall be made available to the person or that person's
5 attorney.

6 (v) Alcohol concentration means either grams of
7 alcohol per 100 milliliters of blood or grams of alcohol
8 per 210 liters of breath.

9 (vi) If a driver is receiving medical treatment as a
10 result of a motor vehicle accident, a physician licensed to
11 practice medicine, licensed physician assistant, licensed
12 advanced practice nurse, registered nurse, or other
13 qualified person trained in venipuncture and acting under
14 the direction of a licensed physician shall withdraw blood
15 for testing purposes to ascertain the presence of alcohol
16 upon the specific request of a law enforcement officer.
17 However, that testing shall not be performed until, in the
18 opinion of the medical personnel on scene, the withdrawal
19 can be made without interfering with or endangering the
20 well-being of the patient.

21 (c) A person requested to submit to a test as provided
22 above shall be warned by the law enforcement officer requesting
23 the test that a refusal to submit to the test, or submission to
24 the test resulting in an alcohol concentration of more than
25 0.00, may result in the loss of that person's privilege to
26 operate a motor vehicle and may result in the disqualification

1 of the person's privilege to operate a commercial motor
2 vehicle, as provided in Section 6-514 of this Code, if the
3 person is a CDL holder. The loss of driving privileges shall be
4 imposed in accordance with Section 6-208.2 of this Code.

5 (d) If the person refuses testing or submits to a test that
6 discloses an alcohol concentration of more than 0.00, the law
7 enforcement officer shall immediately submit a sworn report to
8 the Secretary of State on a form prescribed by the Secretary of
9 State, certifying that the test or tests were requested under
10 subsection (a) and the person refused to submit to a test or
11 tests or submitted to testing which disclosed an alcohol
12 concentration of more than 0.00. The law enforcement officer
13 shall submit the same sworn report when a person under the age
14 of 21 submits to testing under Section 11-501.1 of this Code
15 and the testing discloses an alcohol concentration of more than
16 0.00 and less than 0.08.

17 Upon receipt of the sworn report of a law enforcement
18 officer, the Secretary of State shall enter the suspension and
19 disqualification on the individual's driving record and the
20 suspension and disqualification shall be effective on the 46th
21 day following the date notice of the suspension was given to
22 the person. If this suspension is the individual's first
23 driver's license suspension under this Section, reports
24 received by the Secretary of State under this Section shall,
25 except during the time the suspension is in effect, be
26 privileged information and for use only by the courts, police

1 officers, prosecuting authorities, the Secretary of State, or
2 the individual personally, unless the person is a CDL holder,
3 is operating a commercial motor vehicle or vehicle required to
4 be placarded for hazardous materials, in which case the
5 suspension shall not be privileged. Reports received by the
6 Secretary of State under this Section shall also be made
7 available to the parent or guardian of a person under the age
8 of 18 years that holds an instruction permit or a graduated
9 driver's license, regardless of whether the suspension is in
10 effect.

11 The law enforcement officer submitting the sworn report
12 shall serve immediate notice of this suspension on the person
13 and the suspension and disqualification shall be effective on
14 the 46th day following the date notice was given.

15 In cases where the blood alcohol concentration of more than
16 0.00 is established by a subsequent analysis of blood, saliva,
17 or urine, the police officer or arresting agency shall give
18 notice as provided in this Section or by deposit in the United
19 States mail of that notice in an envelope with postage prepaid
20 and addressed to that person at his last known address and the
21 loss of driving privileges shall be effective on the 46th day
22 following the date notice was given.

23 Upon receipt of the sworn report of a law enforcement
24 officer, the Secretary of State shall also give notice of the
25 suspension and disqualification to the driver by mailing a
26 notice of the effective date of the suspension and

1 disqualification to the individual. However, should the sworn
2 report be defective by not containing sufficient information or
3 be completed in error, the notice of the suspension and
4 disqualification shall not be mailed to the person or entered
5 to the driving record, but rather the sworn report shall be
6 returned to the issuing law enforcement agency.

7 (e) A driver may contest this suspension and
8 disqualification by requesting an administrative hearing with
9 the Secretary of State in accordance with Section 2-118 of this
10 Code. An individual whose blood alcohol concentration is shown
11 to be more than 0.00 is not subject to this Section if he or she
12 consumed alcohol in the performance of a religious service or
13 ceremony. An individual whose blood alcohol concentration is
14 shown to be more than 0.00 shall not be subject to this Section
15 if the individual's blood alcohol concentration resulted only
16 from ingestion of the prescribed or recommended dosage of
17 medicine that contained alcohol. The petition for that hearing
18 shall not stay or delay the effective date of the impending
19 suspension. The scope of this hearing shall be limited to the
20 issues of:

21 (1) whether the police officer had probable cause to
22 believe that the person was driving or in actual physical
23 control of a motor vehicle upon the public highways of the
24 State and the police officer had reason to believe that the
25 person was in violation of any provision of the Illinois
26 Vehicle Code or a similar provision of a local ordinance;

1 and

2 (2) whether the person was issued a Uniform Traffic
3 Ticket for any violation of the Illinois Vehicle Code or a
4 similar provision of a local ordinance; and

5 (3) whether the police officer had probable cause to
6 believe that the driver had consumed any amount of an
7 alcoholic beverage based upon the driver's physical
8 actions or other first-hand knowledge of the police
9 officer; and

10 (4) whether the person, after being advised by the
11 officer that the privilege to operate a motor vehicle would
12 be suspended if the person refused to submit to and
13 complete the test or tests, did refuse to submit to or
14 complete the test or tests to determine the person's
15 alcohol concentration; and

16 (5) whether the person, after being advised by the
17 officer that the privileges to operate a motor vehicle
18 would be suspended if the person submits to a chemical test
19 or tests and the test or tests disclose an alcohol
20 concentration of more than 0.00, did submit to and complete
21 the test or tests that determined an alcohol concentration
22 of more than 0.00; and

23 (6) whether the test result of an alcohol concentration
24 of more than 0.00 was based upon the person's consumption
25 of alcohol in the performance of a religious service or
26 ceremony; and

1 (7) whether the test result of an alcohol concentration
2 of more than 0.00 was based upon the person's consumption
3 of alcohol through ingestion of the prescribed or
4 recommended dosage of medicine.

5 At the conclusion of the hearing held under Section 2-118
6 of this Code, the Secretary of State may rescind, continue, or
7 modify the suspension and disqualification. If the Secretary of
8 State does not rescind the suspension and disqualification, a
9 restricted driving permit may be granted by the Secretary of
10 State upon application being made and good cause shown. A
11 restricted driving permit may be granted to relieve undue
12 hardship by allowing driving for employment, educational, and
13 medical purposes as outlined in item (3) of part (c) of Section
14 6-206 of this Code. The provisions of item (3) of part (c) of
15 Section 6-206 of this Code and of subsection (f) of that
16 Section shall apply. The Secretary of State shall promulgate
17 rules providing for participation in an alcohol education and
18 awareness program or activity, a drug education and awareness
19 program or activity, or both as a condition to the issuance of
20 a restricted driving permit for suspensions imposed under this
21 Section.

22 (f) The results of any chemical testing performed in
23 accordance with subsection (a) of this Section are not
24 admissible in any civil or criminal proceeding, except that the
25 results of the testing may be considered at a hearing held
26 under Section 2-118 of this Code. However, the results of the

1 testing may not be used to impose driver's license sanctions
2 under Section 11-501.1 of this Code. A law enforcement officer
3 may, however, pursue a statutory summary suspension or
4 revocation of driving privileges under Section 11-501.1 of this
5 Code if other physical evidence or first hand knowledge forms
6 the basis of that suspension or revocation.

7 (g) This Section applies only to drivers who are under age
8 21 at the time of the issuance of a Uniform Traffic Ticket for
9 a violation of the Illinois Vehicle Code or a similar provision
10 of a local ordinance, and a chemical test request is made under
11 this Section.

12 (h) The action of the Secretary of State in suspending,
13 revoking, cancelling, or disqualifying any license or permit
14 shall be subject to judicial review in the Circuit Court of
15 Sangamon County or in the Circuit Court of Cook County, and the
16 provisions of the Administrative Review Law and its rules are
17 hereby adopted and shall apply to and govern every action for
18 the judicial review of final acts or decisions of the Secretary
19 of State under this Section.

20 (Source: P.A. 96-1080, eff. 7-16-10; 96-1344, eff. 7-1-11;
21 97-333, eff. 8-12-11; 97-450, eff. 8-19-11.)

22 (625 ILCS 5/11-507)

23 Sec. 11-507. Supervising a minor driver while under the
24 influence of alcohol, other drug or drugs, intoxicating
25 compound or compounds or any combination thereof.

1 (a) A person shall not accompany or provide instruction,
2 pursuant to subsection (a) of Section 6-107.1 of this Code, to
3 a driver who is a minor and driving a motor vehicle pursuant to
4 an instruction permit under Section 6-107.1 of this Code,
5 while:

6 (1) the alcohol concentration in the person's blood,
7 saliva, or breath is 0.08 or more based on the definition
8 of blood and breath units in Section 11-501.2 of this Code;

9 (2) under the influence of alcohol;

10 (3) under the influence of any intoxicating compound or
11 combination of intoxicating compounds to a degree that
12 renders the person incapable of properly supervising or
13 providing instruction to the minor driver;

14 (4) under the influence of any other drug or
15 combination of drugs to a degree that renders the person
16 incapable of properly supervising or providing instruction
17 to the minor driver;

18 (5) under the combined influence of alcohol, other drug
19 or drugs, or intoxicating compound or compounds to a degree
20 that renders the person incapable of properly supervising
21 or providing instruction to the minor driver; or

22 (6) there is any amount of a drug, substance, or
23 compound in the person's breath, blood, saliva, or urine
24 resulting from the unlawful use or consumption of cannabis
25 listed in the Cannabis Control Act, a controlled substance
26 listed in the Illinois Controlled Substances Act, an

1 intoxicating compound listed in the Use of Intoxicating
2 Compounds Act, or methamphetamine as listed in the
3 Methamphetamine Control and Community Protection Act.

4 (b) A person found guilty of violating this Section is
5 guilty of an offense against the regulations governing the
6 movement of vehicles.

7 (Source: P.A. 96-1237, eff. 1-1-11.)

8 Section 15. The Snowmobile Registration and Safety Act is
9 amended by changing Sections 5-7, 5-7.1, 5-7.2, 5-7.4, and
10 5-7.6 as follows:

11 (625 ILCS 40/5-7)

12 Sec. 5-7. Operating a snowmobile while under the influence
13 of alcohol or other drug or drugs, intoxicating compound or
14 compounds, or a combination of them; criminal penalties;
15 suspension of operating privileges.

16 (a) A person may not operate or be in actual physical
17 control of a snowmobile within this State while:

18 1. The alcohol concentration in that person's blood,
19 saliva, or breath is a concentration at which driving a
20 motor vehicle is prohibited under subdivision (1) of
21 subsection (a) of Section 11-501 of the Illinois Vehicle
22 Code;

23 2. The person is under the influence of alcohol;

24 3. The person is under the influence of any other drug

1 or combination of drugs to a degree that renders that
2 person incapable of safely operating a snowmobile;

3 3.1. The person is under the influence of any
4 intoxicating compound or combination of intoxicating
5 compounds to a degree that renders the person incapable of
6 safely operating a snowmobile;

7 4. The person is under the combined influence of
8 alcohol and any other drug or drugs or intoxicating
9 compound or compounds to a degree that renders that person
10 incapable of safely operating a snowmobile; or

11 5. There is any amount of a drug, substance, or
12 compound in that person's breath, blood, saliva, or urine
13 resulting from the unlawful use or consumption of cannabis
14 listed in the Cannabis Control Act, controlled substance
15 listed in the Illinois Controlled Substances Act, or
16 intoxicating compound listed in the use of Intoxicating
17 Compounds Act.

18 (b) The fact that a person charged with violating this
19 Section is or has been legally entitled to use alcohol, other
20 drug or drugs, any intoxicating compound or compounds, or any
21 combination of them does not constitute a defense against a
22 charge of violating this Section.

23 (c) Every person convicted of violating this Section or a
24 similar provision of a local ordinance is guilty of a Class A
25 misdemeanor, except as otherwise provided in this Section.

26 (c-1) As used in this Section, "first time offender" means

1 any person who has not had a previous conviction or been
2 assigned supervision for violating this Section or a similar
3 provision of a local ordinance, or any person who has not had a
4 suspension imposed under subsection (e) of Section 5-7.1.

5 (c-2) For purposes of this Section, the following are
6 equivalent to a conviction:

7 (1) a forfeiture of bail or collateral deposited to
8 secure a defendant's appearance in court when forfeiture
9 has not been vacated; or

10 (2) the failure of a defendant to appear for trial.

11 (d) Every person convicted of violating this Section is
12 guilty of a Class 4 felony if:

13 1. The person has a previous conviction under this
14 Section;

15 2. The offense results in personal injury where a
16 person other than the operator suffers great bodily harm or
17 permanent disability or disfigurement, when the violation
18 was a proximate cause of the injuries. A person guilty of a
19 Class 4 felony under this paragraph 2, if sentenced to a
20 term of imprisonment, shall be sentenced to not less than
21 one year nor more than 12 years; or

22 3. The offense occurred during a period in which the
23 person's privileges to operate a snowmobile are revoked or
24 suspended, and the revocation or suspension was for a
25 violation of this Section or was imposed under Section
26 5-7.1.

1 (e) Every person convicted of violating this Section is
2 guilty of a Class 2 felony if the offense results in the death
3 of a person. A person guilty of a Class 2 felony under this
4 subsection (e), if sentenced to a term of imprisonment, shall
5 be sentenced to a term of not less than 3 years and not more
6 than 14 years.

7 (e-1) Every person convicted of violating this Section or a
8 similar provision of a local ordinance who had a child under
9 the age of 16 on board the snowmobile at the time of offense
10 shall be subject to a mandatory minimum fine of \$500 and shall
11 be subject to a mandatory minimum of 5 days of community
12 service in a program benefiting children. The assignment under
13 this subsection shall not be subject to suspension nor shall
14 the person be eligible for probation in order to reduce the
15 assignment.

16 (e-2) Every person found guilty of violating this Section,
17 whose operation of a snowmobile while in violation of this
18 Section proximately caused any incident resulting in an
19 appropriate emergency response, shall be liable for the expense
20 of an emergency response as provided in subsection (i) of
21 Section 11-501.01 of the Illinois Vehicle Code.

22 (e-3) In addition to any other penalties and liabilities, a
23 person who is found guilty of violating this Section, including
24 any person placed on court supervision, shall be fined \$100,
25 payable to the circuit clerk, who shall distribute the money to
26 the law enforcement agency that made the arrest. In the event

1 that more than one agency is responsible for the arrest, the
2 \$100 shall be shared equally. Any moneys received by a law
3 enforcement agency under this subsection (e-3) shall be used to
4 purchase law enforcement equipment or to provide law
5 enforcement training that will assist in the prevention of
6 alcohol related criminal violence throughout the State. Law
7 enforcement equipment shall include, but is not limited to,
8 in-car video cameras, radar and laser speed detection devices,
9 and alcohol breath testers.

10 (f) In addition to any criminal penalties imposed, the
11 Department of Natural Resources shall suspend the snowmobile
12 operation privileges of a person convicted or found guilty of a
13 misdemeanor under this Section for a period of one year, except
14 that first-time offenders are exempt from this mandatory one
15 year suspension.

16 (g) In addition to any criminal penalties imposed, the
17 Department of Natural Resources shall suspend for a period of 5
18 years the snowmobile operation privileges of any person
19 convicted or found guilty of a felony under this Section.

20 (Source: P.A. 95-149, eff. 8-14-07; 96-1000, eff. 7-2-10.)

21 (625 ILCS 40/5-7.1)

22 Sec. 5-7.1. Implied consent.

23 (a) A person who operates or is in actual physical control
24 of a snowmobile in this State is deemed to have given consent
25 to a chemical test or tests of blood, breath, saliva, or urine

1 for the purpose of determining the content of alcohol, other
2 drug or drugs, intoxicating compound or compounds, or a
3 combination of them in that person's blood if arrested for a
4 violation of Section 5-7. The chemical test or tests shall be
5 administered at the direction of the arresting officer. The law
6 enforcement agency employing the officer shall designate which
7 tests shall be administered. A saliva or urine test may be
8 administered even after a blood or breath test or both has been
9 administered.

10 (a-1) For the purposes of this Section, an Illinois law
11 enforcement officer of this State who is investigating the
12 person for any offense defined in Section 5-7 may travel into
13 an adjoining state, where the person has been transported for
14 medical care to complete an investigation and to request that
15 the person submit to the test or tests set forth in this
16 Section. The requirements of this Section that the person be
17 arrested are inapplicable, but the officer shall issue the
18 person a uniform citation for an offense as defined in Section
19 5-7 or a similar provision of a local ordinance prior to
20 requesting that the person submit to the test or tests. The
21 issuance of the uniform citation shall not constitute an
22 arrest, but shall be for the purpose of notifying the person
23 that he or she is subject to the provisions of this Section and
24 of the officer's belief of the existence of probable cause to
25 arrest. Upon returning to this State, the officer shall file
26 the uniform citation with the circuit clerk of the county where

1 the offense was committed and shall seek the issuance of an
2 arrest warrant or a summons for the person.

3 (a-2) Notwithstanding any ability to refuse under this Act
4 to submit to these tests or any ability to revoke the implied
5 consent to these tests, if a law enforcement officer has
6 probable cause to believe that a snowmobile operated by or
7 under actual physical control of a person under the influence
8 of alcohol, other drug or drugs, intoxicating compound or
9 compounds, or any combination of them has caused the death or
10 personal injury to another, that person shall submit, upon the
11 request of a law enforcement officer, to a chemical test or
12 tests of his or her blood, breath, saliva, or urine for the
13 purpose of determining the alcohol content or the presence of
14 any other drug or combination of both. For the purposes of this
15 Section, a personal injury includes severe bleeding wounds,
16 distorted extremities, and injuries that require the injured
17 party to be carried from the scene for immediate professional
18 attention in either a doctor's office or a medical facility.

19 (b) A person who is dead, unconscious, or who is otherwise
20 in a condition rendering that person incapable of refusal, is
21 deemed not to have withdrawn the consent provided in subsection
22 (a), and the test or tests may be administered.

23 (c) A person requested to submit to a test as provided in
24 this Section shall be verbally advised by the law enforcement
25 officer requesting the test that a refusal to submit to the
26 test will result in suspension of that person's privilege to

1 operate a snowmobile for a minimum of 2 years.

2 (d) Following this warning, if a person under arrest
3 refuses upon the request of a law enforcement officer to submit
4 to a test designated by the officer, no tests may be given, but
5 the law enforcement officer shall file with the clerk of the
6 circuit court for the county in which the arrest was made, and
7 with the Department of Natural Resources, a sworn statement
8 naming the person refusing to take and complete the chemical
9 test or tests requested under the provisions of this Section.
10 The sworn statement shall identify the arrested person, the
11 person's current residence address and shall specify that a
12 refusal by that person to take the chemical test or tests was
13 made. The sworn statement shall include a statement that the
14 officer had reasonable cause to believe the person was
15 operating or was in actual physical control of the snowmobile
16 within this State while under the influence of alcohol, other
17 drug or drugs, an intoxicating compound or compound, or a
18 combination of them and that a chemical test or tests were
19 requested as an incident to and following the lawful arrest for
20 an offense as defined in Section 5-7 or a similar provision of
21 a local ordinance, and that the person, after being arrested
22 for an offense arising out of acts alleged to have been
23 committed while operating a snowmobile, refused to submit to
24 and complete a chemical test or tests as requested by the law
25 enforcement officer.

26 (e) The law enforcement officer submitting the sworn

1 statement shall serve immediate written notice upon the person
2 refusing the chemical test or tests that the person's privilege
3 to operate a snowmobile within this State will be suspended for
4 a period of 2 years unless, within 28 days from the date of the
5 notice, the person requests in writing a hearing on the
6 suspension.

7 If the person desires a hearing, the person shall file a
8 complaint in the circuit court in the county where that person
9 was arrested within 28 days from the date of the notice. The
10 hearing shall proceed in the court in the same manner as other
11 civil proceedings. The hearing shall cover only the following
12 issues: (1) whether the person was placed under arrest for an
13 offense as defined in Section 5-7 or a similar provision of a
14 local ordinance as evidenced by the issuance of a uniform
15 citation; (2) whether the arresting officer had reasonable
16 grounds to believe that the person was operating a snowmobile
17 while under the influence of alcohol, other drug or drugs, an
18 intoxicating compound or compounds, or a combination of them;
19 and (3) whether that person refused to submit to and complete
20 the chemical test or tests upon the request of the law
21 enforcement officer. Whether the person was informed that the
22 person's privilege to operate a snowmobile would be suspended
23 if that person refused to submit to the chemical test or tests
24 may not be an issue in the hearing.

25 If the person fails to request a hearing in writing within
26 28 days of the date of the notice, or if a hearing is held and

1 the court finds against the person on the issues before the
2 court, the clerk shall immediately notify the Department of
3 Natural Resources, and the Department shall suspend the
4 snowmobile operation privileges of that person for at least 2
5 years.

6 (f) (Blank).

7 (f-1) If the person submits to a test that discloses an
8 alcohol concentration of 0.08 or more, or any amount of a drug,
9 substance, or intoxicating compound in the person's breath,
10 blood, saliva, or urine resulting from the unlawful use of
11 cannabis listed in the Cannabis Control Act, a controlled
12 substance listed in the Illinois Controlled Substances Act, or
13 an intoxicating compound listed in the Use of Intoxicating
14 Compounds Act, the law enforcement officer shall immediately
15 submit a sworn report to the circuit clerk of venue and the
16 Department of Natural Resources, certifying that the test or
17 tests was or were requested under subsection (a-1) of this
18 Section and the person submitted to testing that disclosed an
19 alcohol concentration of 0.08 or more.

20 In cases where the blood alcohol concentration of 0.08 or
21 greater or any amount of drug, substance, or compound resulting
22 from the unlawful use of cannabis, a controlled substance, or
23 an intoxicating compound is established by a subsequent
24 analysis of blood, saliva, or urine collected at the time of
25 arrest, the arresting officer or arresting agency shall
26 immediately submit a sworn report to the circuit clerk of venue

1 and the Department of Natural Resources upon receipt of the
2 test results.

3 (g) A person must submit to each chemical test offered by
4 the law enforcement officer in order to comply with implied
5 consent provisions of this Section.

6 (h) The provision of Section 11-501.2 of the Illinois
7 Vehicle Code concerning the certification and use of chemical
8 tests applies to the use of those tests under this Section.

9 (Source: P.A. 93-156, eff. 1-1-04.)

10 (625 ILCS 40/5-7.2)

11 Sec. 5-7.2. Chemical and other tests.

12 (a) Upon the trial of a civil or criminal action or
13 proceeding arising out of acts alleged to have been committed
14 while under the influence of alcohol, the concentration of
15 alcohol in the person's blood or breath at the time alleged as
16 shown by analysis of the person's blood, urine, breath, saliva,
17 or other bodily substance gives rise to the presumptions
18 specified in subdivisions 1, 2, and 3 of subsection (b) of
19 Section 11-501.2 of the Illinois Vehicle Code.

20 (b) The provisions of subsection (a) shall not be construed
21 as limiting the introduction of any other relevant evidence
22 bearing upon the question whether the person was under the
23 influence of alcohol.

24 (c) If a person under arrest refuses to submit to a
25 chemical test under the provisions of Section 5-7.1, evidence

1 of refusal is admissible in a civil or criminal action or
2 proceeding arising out of acts alleged to have been committed
3 while the person under the influence of alcohol, other drug or
4 drugs, an intoxicating compound or compounds, or a combination
5 of them was operating a snowmobile.

6 (Source: P.A. 93-156, eff. 1-1-04.)

7 (625 ILCS 40/5-7.4)

8 Sec. 5-7.4. Admissibility of chemical tests of blood,
9 saliva, or urine conducted in the regular course of providing
10 emergency medical treatment.

11 (a) Notwithstanding any other provision of law, the results
12 of blood, saliva, or urine tests performed for the purpose of
13 determining the content of alcohol, other drug or drugs,
14 intoxicating compound or compounds, or any combination of them
15 in an individual's blood, saliva, or urine conducted upon
16 persons receiving medical treatment in a hospital emergency
17 room, are admissible in evidence as a business record exception
18 to the hearsay rule only in prosecutions for a violation of
19 Section 5-7 of this Act or a similar provision of a local
20 ordinance or in prosecutions for reckless homicide brought
21 under the Criminal Code of 1961 or the Criminal Code of 2012.

22 The results of the tests are admissible only when each of
23 the following criteria are met:

24 1. The chemical tests performed upon an individual's
25 blood, saliva, or urine were ordered in the regular course

1 of providing emergency treatment and not at the request of
2 law enforcement authorities; and

3 2. The chemical tests performed upon an individual's
4 blood, saliva, or urine were performed by the laboratory
5 routinely used by the hospital.

6 3. (Blank).

7 Results of chemical tests performed upon an individual's
8 blood, saliva, or urine are admissible into evidence regardless
9 of the time that the records were prepared.

10 (b) The confidentiality provisions of law pertaining to
11 medical records and medical treatment are not applicable with
12 regard to chemical tests performed upon a person's blood, saliva,
13 or urine under the provisions of this Section in
14 prosecutions as specified in subsection (a) of this Section. No
15 person shall be liable for civil damages as a result of the
16 evidentiary use of the results of chemical testing of the
17 individual's blood, saliva, or urine under this Section or as a
18 result of that person's testimony made available under this
19 Section.

20 (Source: P.A. 96-289, eff. 8-11-09; 97-1150, eff. 1-25-13.)

21 (625 ILCS 40/5-7.6)

22 Sec. 5-7.6. Reporting of test results of blood, saliva, or
23 urine conducted in the regular course of providing emergency
24 medical treatment.

25 (a) Notwithstanding any other provision of law, the results

1 of blood, saliva, or urine tests performed for the purpose of
2 determining the content of alcohol, other drug or drugs,
3 intoxicating compound or compounds, or any combination of them
4 in an individual's blood, saliva, or urine, conducted upon
5 persons receiving medical treatment in a hospital emergency
6 room for injuries resulting from a snowmobile accident, shall
7 be disclosed to the Department of Natural Resources, or local
8 law enforcement agencies of jurisdiction, upon request. The
9 blood, saliva, or urine tests are admissible in evidence as a
10 business record exception to the hearsay rule only in
11 prosecutions for violations of Section 5-7 of this Code or a
12 similar provision of a local ordinance, or in prosecutions for
13 reckless homicide brought under the Criminal Code of 1961 or
14 the Criminal Code of 2012.

15 (b) The confidentiality provisions of the law pertaining to
16 medical records and medical treatment shall not be applicable
17 with regard to tests performed upon an individual's blood, saliva,
18 saliva, or urine under the provisions of subsection (a) of this
19 Section. No person shall be liable for civil damages or
20 professional discipline as a result of disclosure or reporting
21 of the tests or the evidentiary use of an individual's blood, saliva,
22 saliva, or urine test results under this Section or Section
23 5-7.4 or as a result of that person's testimony made available
24 under this Section or Section 5-7.4, except for willful or
25 wanton misconduct.

26 (Source: P.A. 97-1150, eff. 1-25-13.)

1 Section 20. The Boat Registration and Safety Act is amended
2 by changing Sections 5-16, 5-16a, 5-16a.1, and 5-16c as
3 follows:

4 (625 ILCS 45/5-16)

5 Sec. 5-16. Operating a watercraft under the influence of
6 alcohol, other drug or drugs, intoxicating compound or
7 compounds, or combination thereof.

8 (A) 1. A person shall not operate or be in actual physical
9 control of any watercraft within this State while:

10 (a) The alcohol concentration in such person's
11 blood, saliva, or breath is a concentration at which
12 driving a motor vehicle is prohibited under
13 subdivision (1) of subsection (a) of Section 11-501 of
14 the Illinois Vehicle Code;

15 (b) Under the influence of alcohol;

16 (c) Under the influence of any other drug or
17 combination of drugs to a degree which renders such
18 person incapable of safely operating any watercraft;

19 (c-1) Under the influence of any intoxicating
20 compound or combination of intoxicating compounds to a
21 degree that renders the person incapable of safely
22 operating any watercraft;

23 (d) Under the combined influence of alcohol and any
24 other drug or drugs to a degree which renders such

1 person incapable of safely operating a watercraft; or

2 (e) There is any amount of a drug, substance, or
3 compound in the person's blood, saliva, or urine
4 resulting from the unlawful use or consumption of
5 cannabis listed in the Cannabis Control Act, a
6 controlled substance listed in the Illinois Controlled
7 Substances Act, or an intoxicating compound listed in
8 the Use of Intoxicating Compounds Act.

9 2. The fact that any person charged with violating this
10 Section is or has been legally entitled to use alcohol,
11 other drug or drugs, any intoxicating compound or
12 compounds, or any combination of them, shall not constitute
13 a defense against any charge of violating this Section.

14 3. Every person convicted of violating this Section
15 shall be guilty of a Class A misdemeanor, except as
16 otherwise provided in this Section.

17 4. Every person convicted of violating this Section
18 shall be guilty of a Class 4 felony if:

19 (a) He has a previous conviction under this
20 Section;

21 (b) The offense results in personal injury where a
22 person other than the operator suffers great bodily
23 harm or permanent disability or disfigurement, when
24 the violation was a proximate cause of the injuries. A
25 person guilty of a Class 4 felony under this
26 subparagraph (b), if sentenced to a term of

1 imprisonment, shall be sentenced to a term of not less
2 than one year nor more than 12 years; or

3 (c) The offense occurred during a period in which
4 his or her privileges to operate a watercraft are
5 revoked or suspended, and the revocation or suspension
6 was for a violation of this Section or was imposed
7 under subsection (B).

8 5. Every person convicted of violating this Section
9 shall be guilty of a Class 2 felony if the offense results
10 in the death of a person. A person guilty of a Class 2
11 felony under this paragraph 5, if sentenced to a term of
12 imprisonment, shall be sentenced to a term of not less than
13 3 years and not more than 14 years.

14 5.1. A person convicted of violating this Section or a
15 similar provision of a local ordinance who had a child
16 under the age of 16 aboard the watercraft at the time of
17 offense is subject to a mandatory minimum fine of \$500 and
18 to a mandatory minimum of 5 days of community service in a
19 program benefiting children. The assignment under this
20 paragraph 5.1 is not subject to suspension and the person
21 is not eligible for probation in order to reduce the
22 assignment.

23 5.2. A person found guilty of violating this Section,
24 if his or her operation of a watercraft while in violation
25 of this Section proximately caused any incident resulting
26 in an appropriate emergency response, is liable for the

1 expense of an emergency response as provided in subsection
2 (m) of Section 11-501 of the Illinois Vehicle Code.

3 5.3. In addition to any other penalties and
4 liabilities, a person who is found guilty of violating this
5 Section, including any person placed on court supervision,
6 shall be fined \$100, payable to the circuit clerk, who
7 shall distribute the money to the law enforcement agency
8 that made the arrest. In the event that more than one
9 agency is responsible for the arrest, the \$100 shall be
10 shared equally. Any moneys received by a law enforcement
11 agency under this paragraph 5.3 shall be used to purchase
12 law enforcement equipment or to provide law enforcement
13 training that will assist in the prevention of alcohol
14 related criminal violence throughout the State. Law
15 enforcement equipment shall include, but is not limited to,
16 in-car video cameras, radar and laser speed detection
17 devices, and alcohol breath testers.

18 6. (a) In addition to any criminal penalties imposed,
19 the Department of Natural Resources shall suspend the
20 watercraft operation privileges of any person
21 convicted or found guilty of a misdemeanor under this
22 Section, a similar provision of a local ordinance, or
23 Title 46 of the U.S. Code of Federal Regulations for a
24 period of one year, except that a first time offender
25 is exempt from this mandatory one year suspension.

26 As used in this subdivision (A)6(a), "first time

1 offender" means any person who has not had a previous
2 conviction or been assigned supervision for violating
3 this Section, a similar provision of a local ordinance
4 or, Title 46 of the U.S. Code of Federal Regulations,
5 or any person who has not had a suspension imposed
6 under subdivision (B)3.1 of Section 5-16.

7 (b) In addition to any criminal penalties imposed,
8 the Department of Natural Resources shall suspend the
9 watercraft operation privileges of any person
10 convicted of a felony under this Section, a similar
11 provision of a local ordinance, or Title 46 of the U.S.
12 Code of Federal Regulations for a period of 3 years.

13 (B) 1. Any person who operates or is in actual physical
14 control of any watercraft upon the waters of this State
15 shall be deemed to have given consent to a chemical test or
16 tests of blood, breath, saliva, or urine for the purpose of
17 determining the content of alcohol, other drug or drugs,
18 intoxicating compound or compounds, or combination thereof
19 in the person's blood if arrested for any offense of
20 subsection (A) above. The chemical test or tests shall be
21 administered at the direction of the arresting officer. The
22 law enforcement agency employing the officer shall
23 designate which of the tests shall be administered. A
24 saliva or urine test may be administered even after a blood
25 or breath test or both has been administered.

26 1.1. For the purposes of this Section, an Illinois Law

1 Enforcement officer of this State who is investigating the
2 person for any offense defined in Section 5-16 may travel
3 into an adjoining state, where the person has been
4 transported for medical care to complete an investigation,
5 and may request that the person submit to the test or tests
6 set forth in this Section. The requirements of this Section
7 that the person be arrested are inapplicable, but the
8 officer shall issue the person a uniform citation for an
9 offense as defined in Section 5-16 or a similar provision
10 of a local ordinance prior to requesting that the person
11 submit to the test or tests. The issuance of the uniform
12 citation shall not constitute an arrest, but shall be for
13 the purpose of notifying the person that he or she is
14 subject to the provisions of this Section and of the
15 officer's belief in the existence of probable cause to
16 arrest. Upon returning to this State, the officer shall
17 file the uniform citation with the circuit clerk of the
18 county where the offense was committed and shall seek the
19 issuance of an arrest warrant or a summons for the person.

20 1.2. Notwithstanding any ability to refuse under this
21 Act to submit to these tests or any ability to revoke the
22 implied consent to these tests, if a law enforcement
23 officer has probable cause to believe that a watercraft
24 operated by or under actual physical control of a person
25 under the influence of alcohol, other drug or drugs,
26 intoxicating compound or compounds, or any combination of

1 them has caused the death of or personal injury to another,
2 that person shall submit, upon the request of a law
3 enforcement officer, to a chemical test or tests of his or
4 her blood, breath, saliva, or urine for the purpose of
5 determining the alcohol content or the presence of any
6 other drug, intoxicating compound, or combination of them.
7 For the purposes of this Section, a personal injury
8 includes severe bleeding wounds, distorted extremities,
9 and injuries that require the injured party to be carried
10 from the scene for immediate professional attention in
11 either a doctor's office or a medical facility.

12 2. Any person who is dead, unconscious or who is
13 otherwise in a condition rendering such person incapable of
14 refusal, shall be deemed not to have withdrawn the consent
15 provided above, and the test may be administered.

16 3. A person requested to submit to a chemical test as
17 provided above shall be verbally advised by the law
18 enforcement officer requesting the test that a refusal to
19 submit to the test will result in suspension of such
20 person's privilege to operate a watercraft for a minimum of
21 2 years. Following this warning, if a person under arrest
22 refuses upon the request of a law enforcement officer to
23 submit to a test designated by the officer, no test shall
24 be given, but the law enforcement officer shall file with
25 the clerk of the circuit court for the county in which the
26 arrest was made, and with the Department of Natural

1 Resources, a sworn statement naming the person refusing to
2 take and complete the chemical test or tests requested
3 under the provisions of this Section. Such sworn statement
4 shall identify the arrested person, such person's current
5 residence address and shall specify that a refusal by such
6 person to take the chemical test or tests was made. Such
7 sworn statement shall include a statement that the
8 arresting officer had reasonable cause to believe the
9 person was operating or was in actual physical control of
10 the watercraft within this State while under the influence
11 of alcohol, other drug or drugs, intoxicating compound or
12 compounds, or combination thereof and that such chemical
13 test or tests were made as an incident to and following the
14 lawful arrest for an offense as defined in this Section or
15 a similar provision of a local ordinance, and that the
16 person after being arrested for an offense arising out of
17 acts alleged to have been committed while so operating a
18 watercraft refused to submit to and complete a chemical
19 test or tests as requested by the law enforcement officer.

20 3.1. The law enforcement officer submitting the sworn
21 statement as provided in paragraph 3 of this subsection (B)
22 shall serve immediate written notice upon the person
23 refusing the chemical test or tests that the person's
24 privilege to operate a watercraft within this State will be
25 suspended for a period of 2 years unless, within 28 days
26 from the date of the notice, the person requests in writing

1 a hearing on the suspension.

2 If the person desires a hearing, such person shall file
3 a complaint in the circuit court for and in the county in
4 which such person was arrested for such hearing. Such
5 hearing shall proceed in the court in the same manner as
6 other civil proceedings, shall cover only the issues of
7 whether the person was placed under arrest for an offense
8 as defined in this Section or a similar provision of a
9 local ordinance as evidenced by the issuance of a uniform
10 citation; whether the arresting officer had reasonable
11 grounds to believe that such person was operating a
12 watercraft while under the influence of alcohol, other drug
13 or drugs, intoxicating compound or compounds, or
14 combination thereof; and whether such person refused to
15 submit and complete the chemical test or tests upon the
16 request of the law enforcement officer. Whether the person
17 was informed that such person's privilege to operate a
18 watercraft would be suspended if such person refused to
19 submit to the chemical test or tests shall not be an issue.

20 If the person fails to request in writing a hearing
21 within 28 days from the date of notice, or if a hearing is
22 held and the court finds against the person on the issues
23 before the court, the clerk shall immediately notify the
24 Department of Natural Resources, and the Department shall
25 suspend the watercraft operation privileges of the person
26 for at least 2 years.

1 3.2. If the person submits to a test that discloses an
2 alcohol concentration of 0.08 or more, or any amount of a
3 drug, substance or intoxicating compound in the person's
4 breath, blood, saliva, or urine resulting from the unlawful
5 use of cannabis listed in the Cannabis Control Act, a
6 controlled substance listed in the Illinois Controlled
7 Substances Act, or an intoxicating compound listed in the
8 Use of Intoxicating Compounds Act, the law enforcement
9 officer shall immediately submit a sworn report to the
10 circuit clerk of venue and the Department of Natural
11 Resources, certifying that the test or tests were requested
12 under paragraph 1 of this subsection (B) and the person
13 submitted to testing that disclosed an alcohol
14 concentration of 0.08 or more.

15 In cases where the blood alcohol concentration of 0.08
16 or greater or any amount of drug, substance or compound
17 resulting from the unlawful use of cannabis, a controlled
18 substance or an intoxicating compound is established by a
19 subsequent analysis of blood, saliva, or urine collected at
20 the time of arrest, the arresting officer or arresting
21 agency shall immediately submit a sworn report to the
22 circuit clerk of venue and the Department of Natural
23 Resources upon receipt of the test results.

24 4. A person must submit to each chemical test offered
25 by the law enforcement officer in order to comply with the
26 implied consent provisions of this Section.

1 5. The provisions of Section 11-501.2 of the Illinois
2 Vehicle Code, as amended, concerning the certification and
3 use of chemical tests apply to the use of such tests under
4 this Section.

5 (C) Upon the trial of any civil or criminal action or
6 proceeding arising out of acts alleged to have been committed
7 by any person while operating a watercraft while under the
8 influence of alcohol, the concentration of alcohol in the
9 person's blood or breath at the time alleged as shown by
10 analysis of a person's blood, urine, breath, saliva, or other
11 bodily substance shall give rise to the presumptions specified
12 in subdivisions 1, 2, and 3 of subsection (b) of Section
13 11-501.2 of the Illinois Vehicle Code. The foregoing provisions
14 of this subsection (C) shall not be construed as limiting the
15 introduction of any other relevant evidence bearing upon the
16 question whether the person was under the influence of alcohol.

17 (D) If a person under arrest refuses to submit to a
18 chemical test under the provisions of this Section, evidence of
19 refusal shall be admissible in any civil or criminal action or
20 proceeding arising out of acts alleged to have been committed
21 while the person under the influence of alcohol, other drug or
22 drugs, intoxicating compound or compounds, or combination of
23 them was operating a watercraft.

24 (E) The owner of any watercraft or any person given
25 supervisory authority over a watercraft, may not knowingly
26 permit a watercraft to be operated by any person under the

1 influence of alcohol, other drug or drugs, intoxicating
2 compound or compounds, or combination thereof.

3 (F) Whenever any person is convicted or found guilty of a
4 violation of this Section, including any person placed on court
5 supervision, the court shall notify the Office of Law
6 Enforcement of the Department of Natural Resources, to provide
7 the Department with the records essential for the performance
8 of the Department's duties to monitor and enforce any order of
9 suspension or revocation concerning the privilege to operate a
10 watercraft.

11 (G) No person who has been arrested and charged for
12 violating paragraph 1 of subsection (A) of this Section shall
13 operate any watercraft within this State for a period of 24
14 hours after such arrest.

15 (Source: P.A. 94-214, eff. 1-1-06; 95-149, eff. 8-14-07.)

16 (625 ILCS 45/5-16a) (from Ch. 95 1/2, par. 315-11a)

17 Sec. 5-16a. Admissibility of chemical tests of blood,
18 saliva, or urine conducted in the regular course of providing
19 emergency medical treatment.

20 (a) Notwithstanding any other provision of law, the written
21 results of blood, saliva, or urine alcohol tests conducted upon
22 persons receiving medical treatment in a hospital emergency
23 room are admissible in evidence as a business record exception
24 to the hearsay rule only in prosecutions for any violation of
25 Section 5-16 of this Act or a similar provision of a local

1 ordinance or in prosecutions for reckless homicide brought
2 under the Criminal Code of 1961 or the Criminal Code of 2012,
3 when:

4 (1) the chemical tests performed upon an individual's
5 blood, saliva, or urine were ordered in the regular course
6 of providing emergency treatment and not at the request of
7 law enforcement authorities; and

8 (2) the chemical tests performed upon an individual's
9 blood, saliva, or urine were performed by the laboratory
10 routinely used by the hospital.

11 Results of chemical tests performed upon an individual's
12 blood, saliva, or urine are admissible into evidence regardless
13 of the time that the records were prepared.

14 (b) The confidentiality provisions of law pertaining to
15 medical records and medical treatment shall not be applicable
16 with regard to chemical tests performed upon an individual's
17 blood, saliva, or urine under the provisions of this Section in
18 prosecutions as specified in subsection (a) of this Section. No
19 person shall be liable for civil damages as a result of the
20 evidentiary use of the results of chemical testing of an
21 individual's blood, saliva, or urine under this Section or as a
22 result of that person's testimony made available under this
23 Section.

24 (Source: P.A. 96-289, eff. 8-11-09; 97-1150, eff. 1-25-13.)

25 (625 ILCS 45/5-16a.1)

1 Sec. 5-16a.1. Reporting of test results of blood, saliva,
2 or urine conducted in the regular course of providing emergency
3 medical treatment.

4 (a) Notwithstanding any other provision of law, the results
5 of blood, saliva, or urine tests performed for the purpose of
6 determining the content of alcohol, other drug or drugs,
7 intoxicating compound or compounds, or any combination of them
8 in an individual's blood, saliva, or urine, conducted upon
9 persons receiving medical treatment in a hospital emergency
10 room for injuries resulting from a boating accident, shall be
11 disclosed to the Department of Natural Resources or local law
12 enforcement agencies of jurisdiction, upon request. The blood, saliva,
13 or urine tests are admissible in evidence as a business
14 record exception to the hearsay rule only in prosecutions for
15 violations of Section 5-16 of this Code or a similar provision
16 of a local ordinance, or in prosecutions for reckless homicide
17 brought under the Criminal Code of 1961 or the Criminal Code of
18 2012.

19 (b) The confidentiality provisions of the law pertaining to
20 medical records and medical treatment shall not be applicable
21 with regard to tests performed upon an individual's blood, saliva,
22 or urine under the provisions of subsection (a) of this
23 Section. No person is liable for civil damages or professional
24 discipline as a result of disclosure or reporting of the tests
25 or the evidentiary use of an individual's blood, saliva, or
26 urine test results under this Section or Section 5-16a, or as a

1 result of that person's testimony made available under this
2 Section or Section 5-16a, except for willful or wanton
3 misconduct.

4 (Source: P.A. 97-1150, eff. 1-25-13.)

5 (625 ILCS 45/5-16c)

6 Sec. 5-16c. Operator involvement in personal injury or
7 fatal boating accident; chemical tests.

8 (a) Any person who operates or is in actual physical
9 control of a motorboat within this State and who has been
10 involved in a personal injury or fatal boating accident shall
11 be deemed to have given consent to a breath test using a
12 portable device as approved by the Department of State Police
13 or to a chemical test or tests of blood, breath, saliva, or
14 urine for the purpose of determining the content of alcohol,
15 other drug or drugs, or intoxicating compound or compounds of
16 the person's blood if arrested as evidenced by the issuance of
17 a uniform citation for a violation of the Boat Registration and
18 Safety Act or a similar provision of a local ordinance, with
19 the exception of equipment violations contained in Article IV
20 of this Act or similar provisions of local ordinances. The test
21 or tests shall be administered at the direction of the
22 arresting officer. The law enforcement agency employing the
23 officer shall designate which of the aforesaid tests shall be
24 administered. A saliva or urine test may be administered even
25 after a blood or breath test or both has been administered.

1 Compliance with this Section does not relieve the person from
2 the requirements of any other Section of this Act.

3 (b) Any person who is dead, unconscious, or who is
4 otherwise in a condition rendering that person incapable of
5 refusal shall be deemed not to have withdrawn the consent
6 provided by subsection (a) of this Section. In addition, if an
7 operator of a motorboat is receiving medical treatment as a
8 result of a boating accident, any physician licensed to
9 practice medicine, licensed physician assistant, licensed
10 advanced practice nurse, registered nurse, or a phlebotomist
11 acting under the direction of a licensed physician shall
12 withdraw blood for testing purposes to ascertain the presence
13 of alcohol, other drug or drugs, or intoxicating compound or
14 compounds, upon the specific request of a law enforcement
15 officer. However, this testing shall not be performed until, in
16 the opinion of the medical personnel on scene, the withdrawal
17 can be made without interfering with or endangering the
18 well-being of the patient.

19 (c) A person requested to submit to a test under subsection
20 (a) of this Section shall be warned by the law enforcement
21 officer requesting the test that a refusal to submit to the
22 test, or submission to the test resulting in an alcohol
23 concentration of 0.08 or more, or any amount of a drug,
24 substance, or intoxicating compound resulting from the
25 unlawful use or consumption of cannabis listed in the Cannabis
26 Control Act, a controlled substance listed in the Illinois

1 Controlled Substances Act, an intoxicating compound listed in
2 the Use of Intoxicating Compounds Act, or methamphetamine as
3 listed in the Methamphetamine Control and Community Protection
4 Act as detected in the person's blood, saliva, or urine, may
5 result in the suspension of the person's privilege to operate a
6 motor vehicle and may result in the disqualification of the
7 person's privilege to operate a commercial motor vehicle, as
8 provided in Section 6-514 of the Illinois Vehicle Code, if the
9 person is a CDL holder. The length of the suspension shall be
10 the same as outlined in Section 6-208.1 of the Illinois Vehicle
11 Code regarding statutory summary suspensions.

12 (d) If the person refuses testing or submits to a test
13 which discloses an alcohol concentration of 0.08 or more, or
14 any amount of a drug, substance, or intoxicating compound in
15 the person's blood, saliva, or urine resulting from the
16 unlawful use or consumption of cannabis listed in the Cannabis
17 Control Act, a controlled substance listed in the Illinois
18 Controlled Substances Act, an intoxicating compound listed in
19 the Use of Intoxicating Compounds Act, or methamphetamine as
20 listed in the Methamphetamine Control and Community Protection
21 Act, the law enforcement officer shall immediately submit a
22 sworn report to the Secretary of State on a form prescribed by
23 the Secretary of State, certifying that the test or tests were
24 requested under subsection (a) of this Section and the person
25 refused to submit to a test or tests or submitted to testing
26 which disclosed an alcohol concentration of 0.08 or more, or

1 any amount of a drug, substance, or intoxicating compound in
2 the person's blood, saliva, or urine, resulting from the
3 unlawful use or consumption of cannabis listed in the Cannabis
4 Control Act, a controlled substance listed in the Illinois
5 Controlled Substances Act, an intoxicating compound listed in
6 the Use of Intoxicating Compounds Act, or methamphetamine as
7 listed in the Methamphetamine Control and Community Protection
8 Act.

9 Upon receipt of the sworn report of a law enforcement
10 officer, the Secretary of State shall enter the suspension and
11 disqualification to the person's driving record and the
12 suspension and disqualification shall be effective on the 46th
13 day following the date notice of the suspension was given to
14 the person.

15 The law enforcement officer submitting the sworn report
16 shall serve immediate notice of this suspension on the person
17 and this suspension and disqualification shall be effective on
18 the 46th day following the date notice was given.

19 In cases where the blood alcohol concentration of 0.08 or
20 more, or any amount of a drug, substance, or intoxicating
21 compound resulting from the unlawful use or consumption of
22 cannabis listed in the Cannabis Control Act, a controlled
23 substance listed in the Illinois Controlled Substances Act, an
24 intoxicating compound listed in the Use of Intoxicating
25 Compounds Act, or methamphetamine as listed in the
26 Methamphetamine Control and Community Protection Act, is

1 established by a subsequent analysis of blood, saliva, or urine
2 collected at the time of arrest, the arresting officer shall
3 give notice as provided in this Section or by deposit in the
4 United States mail of this notice in an envelope with postage
5 prepaid and addressed to the person at his or her address as
6 shown on the uniform citation and the suspension and
7 disqualification shall be effective on the 46th day following
8 the date notice was given.

9 Upon receipt of the sworn report of a law enforcement
10 officer, the Secretary of State shall also give notice of the
11 suspension and disqualification to the person by mailing a
12 notice of the effective date of the suspension and
13 disqualification to the person. However, should the sworn
14 report be defective by not containing sufficient information or
15 be completed in error, the notice of the suspension and
16 disqualification shall not be mailed to the person or entered
17 to the driving record, but rather the sworn report shall be
18 returned to the issuing law enforcement agency.

19 (e) A person may contest this suspension of his or her
20 driving privileges and disqualification of his or her CDL
21 privileges by requesting an administrative hearing with the
22 Secretary of State in accordance with Section 2-118 of the
23 Illinois Vehicle Code. At the conclusion of a hearing held
24 under Section 2-118 of the Illinois Vehicle Code, the Secretary
25 of State may rescind, continue, or modify the orders of
26 suspension and disqualification. If the Secretary of State does

1 not rescind the orders of suspension and disqualification, a
2 restricted driving permit may be granted by the Secretary of
3 State upon application being made and good cause shown. A
4 restricted driving permit may be granted to relieve undue
5 hardship to allow driving for employment, educational, and
6 medical purposes as outlined in Section 6-206 of the Illinois
7 Vehicle Code. The provisions of Section 6-206 of the Illinois
8 Vehicle Code shall apply. In accordance with 49 C.F.R. 384, the
9 Secretary of State may not issue a restricted driving permit
10 for the operation of a commercial motor vehicle to a person
11 holding a CDL whose driving privileges have been suspended,
12 revoked, cancelled, or disqualified.

13 (f) For the purposes of this Section, a personal injury
14 shall include any type A injury as indicated on the accident
15 report completed by a law enforcement officer that requires
16 immediate professional attention in a doctor's office or a
17 medical facility. A type A injury shall include severely
18 bleeding wounds, distorted extremities, and injuries that
19 require the injured party to be carried from the scene.

20 (Source: P.A. 98-103, eff. 1-1-14.)

21 Section 25. The Code of Criminal Procedure of 1963 is
22 amended by changing Section 115-15 as follows:

23 (725 ILCS 5/115-15)

24 Sec. 115-15. Laboratory reports.

1 (a) In any criminal prosecution for a violation of the
2 Cannabis Control Act, the Illinois Controlled Substances Act,
3 or the Methamphetamine Control and Community Protection Act, a
4 laboratory report from the Department of State Police, Division
5 of Forensic Services, that is signed and sworn to by the person
6 performing an analysis and that states (1) that the substance
7 that is the basis of the alleged violation has been weighed and
8 analyzed, and (2) the person's findings as to the contents,
9 weight and identity of the substance, and (3) that it contains
10 any amount of a controlled substance or cannabis is prima facie
11 evidence of the contents, identity and weight of the substance.
12 Attached to the report shall be a copy of a notarized statement
13 by the signer of the report giving the name of the signer and
14 stating (i) that he or she is an employee of the Department of
15 State Police, Division of Forensic Services, (ii) the name and
16 location of the laboratory where the analysis was performed,
17 (iii) that performing the analysis is a part of his or her
18 regular duties, and (iv) that the signer is qualified by
19 education, training and experience to perform the analysis. The
20 signer shall also allege that scientifically accepted tests
21 were performed with due caution and that the evidence was
22 handled in accordance with established and accepted procedures
23 while in the custody of the laboratory.

24 (a-5) In any criminal prosecution for reckless homicide
25 under Section 9-3 of the Criminal Code of 1961 or the Criminal
26 Code of 2012, or driving under the influence of alcohol, other

1 drug, or combination of both, in violation of Section 11-501 of
2 the Illinois Vehicle Code or in any civil action held under a
3 statutory summary suspension or revocation hearing under
4 Section 2-118.1 of the Illinois Vehicle Code, a laboratory
5 report from the Department of State Police, Division of
6 Forensic Services, that is signed and sworn to by the person
7 performing an analysis, and that states that the sample of
8 blood, saliva, or urine was tested for alcohol or drugs, and
9 contains the person's findings as to the presence and amount of
10 alcohol or drugs and type of drug is prima facie evidence of
11 the presence, content, and amount of the alcohol or drugs
12 analyzed in the blood, saliva, or urine. Attached to the report
13 must be a copy of a notarized statement by the signer of the
14 report giving the name of the signer and stating (1) that he or
15 she is an employee of the Department of State Police, Division
16 of Forensic Services, (2) the name and location of the
17 laboratory where the analysis was performed, (3) that
18 performing the analysis is a part of his or her regular duties,
19 (4) that the signer is qualified by education, training, and
20 experience to perform the analysis, and (5) that scientifically
21 accepted tests were performed with due caution and that the
22 evidence was handled in accordance with established and
23 accepted procedures while in the custody of the laboratory.

24 (b) The State's Attorney shall serve a copy of the report
25 on the attorney of record for the accused, or on the accused if
26 he or she has no attorney, before any proceeding in which the

1 report is to be used against the accused other than at a
2 preliminary hearing or grand jury hearing when the report may
3 be used without having been previously served upon the accused.

4 (c) The report shall not be prima facie evidence if the
5 accused or his or her attorney demands the testimony of the
6 person signing the report by serving the demand upon the
7 State's Attorney within 7 days from the accused or his or her
8 attorney's receipt of the report.

9 (Source: P.A. 96-1344, eff. 7-1-11; 97-1150, eff. 1-25-13.)

10 Section 30. The Unified Code of Corrections is amended by
11 changing Section 5-9-1.9 as follows:

12 (730 ILCS 5/5-9-1.9)

13 Sec. 5-9-1.9. DUI analysis fee.

14 (a) "Crime laboratory" means a not-for-profit laboratory
15 substantially funded by a single unit or combination of units
16 of local government or the State of Illinois that regularly
17 employs at least one person engaged in the DUI analysis of
18 blood, saliva, and urine for criminal justice agencies in
19 criminal matters and provides testimony with respect to such
20 examinations.

21 "DUI analysis" means an analysis of blood, saliva, or urine
22 for purposes of determining whether a violation of Section
23 11-501 of the Illinois Vehicle Code has occurred.

24 (b) When a person has been adjudged guilty of an offense in

1 violation of Section 11-501 of the Illinois Vehicle Code, in
2 addition to any other disposition, penalty, or fine imposed, a
3 crime laboratory DUI analysis fee of \$150 for each offense for
4 which the person was convicted shall be levied by the court for
5 each case in which a laboratory analysis occurred. Upon
6 verified petition of the person, the court may suspend payment
7 of all or part of the fee if it finds that the person does not
8 have the ability to pay the fee.

9 (c) In addition to any other disposition made under the
10 provisions of the Juvenile Court Act of 1987, any minor
11 adjudicated delinquent for an offense which if committed by an
12 adult would constitute a violation of Section 11-501 of the
13 Illinois Vehicle Code shall be assessed a crime laboratory DUI
14 analysis fee of \$150 for each adjudication. Upon verified
15 petition of the minor, the court may suspend payment of all or
16 part of the fee if it finds that the minor does not have the
17 ability to pay the fee. The parent, guardian, or legal
18 custodian of the minor may pay some or all of the fee on the
19 minor's behalf.

20 (d) All crime laboratory DUI analysis fees provided for by
21 this Section shall be collected by the clerk of the court and
22 forwarded to the appropriate crime laboratory DUI fund as
23 provided in subsection (f).

24 (e) Crime laboratory funds shall be established as follows:

25 (1) A unit of local government that maintains a crime
26 laboratory may establish a crime laboratory DUI fund within

1 the office of the county or municipal treasurer.

2 (2) Any combination of units of local government that
3 maintains a crime laboratory may establish a crime
4 laboratory DUI fund within the office of the treasurer of
5 the county where the crime laboratory is situated.

6 (3) The State Police DUI Fund is created as a special
7 fund in the State Treasury.

8 (f) The analysis fee provided for in subsections (b) and
9 (c) of this Section shall be forwarded to the office of the
10 treasurer of the unit of local government that performed the
11 analysis if that unit of local government has established a
12 crime laboratory DUI fund, or to the State Treasurer for
13 deposit into the State Police DUI Fund if the analysis was
14 performed by a laboratory operated by the Department of State
15 Police. If the analysis was performed by a crime laboratory
16 funded by a combination of units of local government, the
17 analysis fee shall be forwarded to the treasurer of the county
18 where the crime laboratory is situated if a crime laboratory
19 DUI fund has been established in that county. If the unit of
20 local government or combination of units of local government
21 has not established a crime laboratory DUI fund, then the
22 analysis fee shall be forwarded to the State Treasurer for
23 deposit into the State Police DUI Fund. The clerk of the
24 circuit court may retain the amount of \$10 from each collected
25 analysis fee to offset administrative costs incurred in
26 carrying out the clerk's responsibilities under this Section.

1 (g) Fees deposited into a crime laboratory DUI fund created
2 under paragraphs (1) and (2) of subsection (e) of this Section
3 shall be in addition to any allocations made pursuant to
4 existing law and shall be designated for the exclusive use of
5 the crime laboratory. These uses may include, but are not
6 limited to, the following:

7 (1) Costs incurred in providing analysis for DUI
8 investigations conducted within this State.

9 (2) Purchase and maintenance of equipment for use in
10 performing analyses.

11 (3) Continuing education, training, and professional
12 development of forensic scientists regularly employed by
13 these laboratories.

14 (h) Fees deposited in the State Police DUI Fund created
15 under paragraph (3) of subsection (e) of this Section shall be
16 used by State crime laboratories as designated by the Director
17 of State Police. These funds shall be in addition to any
18 allocations made according to existing law and shall be
19 designated for the exclusive use of State crime laboratories.
20 These uses may include those enumerated in subsection (g) of
21 this Section.

22 (Source: P.A. 91-822, eff. 6-13-00.)

23 Section 95. No acceleration or delay. Where this Act makes
24 changes in a statute that is represented in this Act by text
25 that is not yet or no longer in effect (for example, a Section

1 represented by multiple versions), the use of that text does
2 not accelerate or delay the taking effect of (i) the changes
3 made by this Act or (ii) provisions derived from any other
4 Public Act.

5 Section 99. Effective date. This Act takes effect upon
6 becoming law.

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Statutes amended in order of appearance

3	620 ILCS 5/43d	from Ch. 15 1/2, par. 22.43d
4	620 ILCS 5/43e	from Ch. 15 1/2, par. 22.43e
5	625 ILCS 5/2-118	from Ch. 95 1/2, par. 2-118
6	625 ILCS 5/2-118.1	from Ch. 95 1/2, par. 2-118.1
7	625 ILCS 5/6-106.1a	
8	625 ILCS 5/6-208.1	from Ch. 95 1/2, par. 6-208.1
9	625 ILCS 5/6-514	from Ch. 95 1/2, par. 6-514
10	625 ILCS 5/6-516	from Ch. 95 1/2, par. 6-516
11	625 ILCS 5/6-517	from Ch. 95 1/2, par. 6-517
12	625 ILCS 5/11-401	from Ch. 95 1/2, par. 11-401
13	625 ILCS 5/11-500	from Ch. 95 1/2, par. 11-500
14	625 ILCS 5/11-500.1	
15	625 ILCS 5/11-501	from Ch. 95 1/2, par. 11-501
16	625 ILCS 5/11-501.1	
17	625 ILCS 5/11-501.2	from Ch. 95 1/2, par. 11-501.2
18	625 ILCS 5/11-501.4	from Ch. 95 1/2, par. 11-501.4
19	625 ILCS 5/11-501.4-1	
20	625 ILCS 5/11-501.6	from Ch. 95 1/2, par. 11-501.6
21	625 ILCS 5/11-501.8	
22	625 ILCS 5/11-507	
23	625 ILCS 40/5-7	
24	625 ILCS 40/5-7.1	
25	625 ILCS 40/5-7.2	

1 625 ILCS 40/5-7.4

2 625 ILCS 40/5-7.6

3 625 ILCS 45/5-16

4 625 ILCS 45/5-16a from Ch. 95 1/2, par. 315-11a

5 625 ILCS 45/5-16a.1

6 625 ILCS 45/5-16c

7 725 ILCS 5/115-15

8 730 ILCS 5/5-9-1.9